





MADRAS LEGISLATIVE ASSEMBLY DEBATES

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GOVERNMENT OF MADRAS
1961

Legislative Assembly Department.
Madras.

THE MADRAS LEGISLATIVE ASSEMBLY.

Saturday, 18th February 1961.

The House met in the Assembly Chamber, Fort St. George, at ten of the clock, Mr. Speaker (THE HON. DR. U. KRISHNA RAU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Munsif's Court, (Gudiyatham).

* 283 Q.—SRI V. K. KOTHANDARAMAN : கனம் உள் விவகார அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) குடியாத்தத்தில் முன்சிப் கோர்ட் ஆரம்பிக்க உத்தேசமுண்டா?

(இ) அப்படியானால் எப்போது?

THE HON. SRI M. BHAKTAVATSALAM : (அ) No, Sir.

(இ) The question does not arise.

SRI V. K. KOTHANDARAMAN : சார், சம்பத்திலே ஆந்திராவிலிருந்து சேர்ந்த பகுதிகளைச் சேர்த்துப் பார்த்தால், திருப்பத்தூருக்குப் போவதற்கு 60 மைலுக்கு மேலும், வேலூருக்குப் போவதற்கு 30 மைலுக்கு மேலும் ஆகிற காரணத்தினால், அங்கே இருக்கக்கூடிய 4 லட்சம் மக்கள் பெரிய அளவுக்குப் பாதிக்கப் படுகிறார்கள் என்பது கனம் அமைச்சர் அவர்களுக்குத் தெரியுமா? ஆகவே, திருப்பத்தூரிலும், வேலூரிலும் உள்ளது போன்ற அடிஷனல் கோர்ட்டாவது அங்கே ஏற்படுவதற்கு கனம் அமைச்சர் அவர்கள் முயற்சி செய்வார்களா?

THE HON. SRI M. BHAKTAVATSALAM : குடியாத்தம் தாலுகாவிலுள்ள 4 லட்சம் மக்களுக்கு கனம் அங்கத்தினர் அவர்கள் பிரதிநிதியாக இருந்தபோதிலும், இந்த 4 லட்சம் மக்களும் வழக்கில் ஈடுபடுவதில்லை என்பதைத் தெரிவித்துக் கொள்கிறேன். கோர்ட்டுகள் எங்கெல்லாம் அவசியமோ, அங்கெல்லாம் ஏற்படுத்தப்பட்டு வருகின்றன. ஹைகோர்ட் இதைப் பரிசீலனை செய்து, அங்கு கோர்ட்டுக்கு அவசியமில்லை என்று கருதுகிறார்கள். இதுவே அரசாங்கத்தின் கருத்துமாகும்.

SRI V. K. KOTHANDARAMAN : சார், ஹைகோர்ட்டு வேலூரிலும், திருப்பத்தூரிலும் இருக்கக்கூடிய வக்கீல்கள் அசோஷியேஷனை கேட்டு, அவர்கள் நகரத்திலேயே இருக்க வேண்டுமென்ற எண்ணத்தோடு, அங்கே கோர்ட்டுக்கு அவசியமில்லை என்று முடிவெடுத்துள்ளார்கள் என்பது கனம் அமைச்சர்

[18th February 1961]

அவர்களுக்குத் தெரியுமா? ஆகவே மீண்டும் இதைப் பரிசீலனை செய்து, தயவுசெய்து அங்கே ஒரு கோர்ட்டு ஏற்படுத்த முயற்சி எடுத்துக்கொள்வார்களா?

THE HON. SRI M. BHAKTAVATSALAM : கோர்ட்டு எங்கே இருந்தாலும் வக்கீல்களுக்கு குந்தகம் ஏற்படாது. அதைப் பற்றி அவர்களுக்கு கவலையில்லை. ஹைகோர்ட்டுதான் இதைக் கவனிக்க வேண்டும். அதை அரசாங்கம் பரிசீலனை செய்து, அவர்களுடைய அபிப்பிராயத்தை ஏற்றுக்கொண்டது. குடியாத்தம் தாலுக்காவுக்கு மட்டும் ஒரு முன்சீப் கோர்ட்டு வேண்டியதில்லை என்று தான் ஹைகோர்ட்டும் கருதுகிறது. அரசாங்கமும் அந்தக் கருத்தை ஏற்றுக்கொண்டிருக்கிறது.

SRI A. GOVINDASAMY : கனம் தலைவர் அவர்களே, கோர்ட்டு எங்கேயிருந்தாலும், வக்கீல்களை பாதிக்காது என்று கனம் அமைச்சர் அவர்கள் சொன்னார்கள். ஆனால், கட்சியில் சம்பந்தப்பட்டுள்ள ஜனங்கள் கோர்ட்டுக்குச் செல்லுவதில் பாதிக்கப்படுவார்கள் என்று அரசாங்கத்திற்குத் தெரியுமா? அதற்குத் தகுந்த நடவடிக்கை எடுப்பார்களா?

THE HON. SRI M. BHAKTAVATSALAM : ஒவ்வொரு கிராமத்திலும் கோர்ட்டு ஏற்படுத்த முடியாது. கொஞ்சம் தூரமாக இருந்தால், வழக்கில் மக்கள் தொடர்பு வைத்துக் கொள்ளும் மனப்பான்மை வளருவது குறையும்.

Veterinary Hospitals

* 296 Q.—**SRI V. K. KOTHANDARAMAN :** கனம் உள்விவகார அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விக்குப் பதிலளிப்பாரா—

குடியாத்தம் தாலுகாவில் கீழ்க்கண்ட ஊர்களில் கால்நடை ஆஸ்பத்திரிகள் ஆரம்பிக்க உத்தேசமுண்டா?

1. பேர்னாம்பட்டு;
2. பரதராமி;
3. காட்பாடி;
4. திருவலம்.

THE HON. SRI M. BHAKTAVATSALAM : No, Sir.

SRI V. K. KOTHANDARAMAN : ஸார், பேர்னாம்பட்டு, பரதராமி, திருவலம் போன்ற கிராமங்களிலுள்ள விவசாயிகள் கால்நடை வைத்தியத்திற்காக 10, 12 மைல்களுக்கு அப்பால் போகவேண்டியிருக்கிறது என்பது கனம் அமைச்சர் அவர்களுக்கு நன்கு தெரிந்த விஷயம். அதை முன்னிட்டாவது கனம் அமைச்சர் அவர்கள் உடனடியாக ஆங்காங்கே கால்நடை ஆஸ்பத்திரிகளை எப்படியாவது ஏற்படுத்துவதற்கு ஏற்பாடு செய்வார்களா?

18th February 1961]

THE HON. SRI M. BHAKTAVATSALAM : இந்தத் தாலுகா காவில் ஏராளமான கால்நடை வைத்தியசாலைகள் வைக்கப் பட்டிருக்கின்றன. ஆனால், புதிதாக வைப்பதற்கு இப்போது யோசனையில்லை என்றுதான் நான் சொன்னேன். வட்டார வளர்ச்சித் திட்டங்கள் மூலமாகவும் ஆங்காங்கு ஏற்படுத்தப்பட்டு வருகின்றன.

SRI A. A. RASHEED : இந்தக் கால்நடை ஆஸ்பத்திரிகளுக்கு விவசாயிகள் வருகின்றனரா அல்லது கால்நடைகள் வருகின்றனவா ?

THE HON. SRI M. BHAKTAVATSALAM : கனம் அங்கத்தினர் அவர்கள் தன்னுடைய தொகுதிக்குச் சென்று அங்குள்ள கால்நடை ஆஸ்பத்திரிகளில் யார் வருகிறார்கள் என்று பார்த்தால், தெரிந்து கொள்ளலாம்.

SRI V. K. RAMASWAMY MUDALIAR : Sir, there is dearth of personnel in the Veterinary Department to man these dispensaries; so, will the Government take this factor also into consideration before starting these dispensaries? or, there is no point in starting them without the necessary technical personnel to run them.

THE HON. SRI M. BHAKTAVATSALAM : Yes, Sir; Government do take all that into consideration. As the hon. Member is aware, we have organized the Stockmen Course to give training through a short-term course. They are also fitted into these centres.

SRI A. A. RASHEED : Sir, on a point of personal explanation. Peranambattu is not my constituency and therefore I do not visit.

MR. SPEAKER : That is all right.

THE HON. SRI M. BHAKTAVATSALAM : I did not say, Sir, 'he did not go', but I said, 'let him go'.

SRI S. SADASIVAM : கீ வில்லேஜ் சென்டர் ஆரம்பிக்கப் பட்டிருக்கும் இடங்களில் கால்நடை ஆஸ்பத்திரிகளை தொடர்ந்து சேர்த்து ஆரம்பிக்க திட்டம் உண்டா ?

MR. SPEAKER : இதற்குத் தனியாக கேள்வி போடவேண்டும்.

THE HON. SRI M. BHAKTAVATSALAM : இதுபற்றி அவ்வப் போது பரிசீலனை செய்யப்பட்டு, தேவைப்படி நிறைவேற்றப்பட்டு வருகிறது.

Southern Zonal Council

* 321 Q.—**SRI S. M. ANNAMALAI :** கனம் மின்சார அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விக்குப் பதிலளிப்பாரா—

1960-ம் ஆண்டு ஆகஸ்ட் மாதம் 17-ம் தேதி பாண்டிச்சேரியில் நடந்த தென் மண்டலக் கவுன்சிலில் Power Development Committee நடைபெற்ற விஷயங்கள் யாவை ?

[18th February 1961]

THE HON. SRI V. RAMAIAH : The subjects discussed at the meeting are—

- (i) Review of action taken on the discussions of the previous meetings of the Power Development Committee.
- (ii) Construction of 220 KV line between Andhra and Madras.
- (iii) Inter-linking Pondicherry and Madras State.
- (iv) Uniform tariff for all the States of Southern Grid.
- (v) Economic Steel sections to be rolled for verticals.
- (vi) 220 KV line between Mysore and Madras.

SRI S. M. ANNAMALAI : ஸார், நம்முடைய மாகாணத் திலுள்ள ஜலத்தைக்கொண்டு வேண்டிய மின்சாரம் செய்தாகி விட்டது. மேலும், பிற மாகாணங்களிலுள்ள ஜலத்தை நல்ல முறையில் ஈடுபடுத்தி, மின்சாரம் பெருக்குவதற்குரிய சாதனங்கள் பெற முடியுமா என்று முடிவெடுக்க வேண்டியதாகும். அப்படியாயின், அந்த முடிவு என்ன?

THE HON. SRI V. RAMAIAH : இந்த பவர் டெவலப்மெண்ட் கமிட்டியின் கூட்டத்திலே என்னென்ன விவாதிக்கப் பட்டதோ, அவைகளை விவரமாகச் சொன்னேன். மற்ற தகவல்கள் என்னிடம் இல்லை.

SRI R. SRINIVASA IYER : Sir, how far has the proposal to form a common grid for the four States in the Southern Zone materialized at the meeting?

THE HON. SRI V. RAMAIAH : Sir, as far as this meeting is concerned, I have just narrated what subjects were discussed at the meeting. But conclusions have to be taken by the Southern Zonal Council as such, and till they take a decision, what has transpired in this meeting cannot be given out.

SRI K. VINAYAKAM : Sir, were any subjects concerning matters of letting more water in the Palar river discussed at this meeting?

THE HON. SRI V. RAMAIAH : This is a sub-committee of the Power Development Committee. I do not see where the Palar water comes in there.

SRI A. GOVINDASAMY : புதுச்சேரி இந்திய யூனியனில் சேர்ந்த பிறகு, அங்கு முக்கிய கிராமங்களுக்கெல்லாம் மின்சாரம் விஸ்தரிக்கப்பட்டிருக்கிறது. ஆனால், தென் ஆற்காடு மாவட்டத்திலுள்ள பல கிராமங்களுக்கு இன்னும் மின்சாரம் கிடைக்காததினால், புதுச்சேரி மின்சார போர்டை தென் ஆற்காடு ஜில்லா வோடு சேர்த்து, அங்கே மின்சார வசதி கிடைக்க அரசாங்கம் தகுந்த முயற்சி எடுத்துக்கொள்வார்களா?

THE HON. SRI V. RAMAIAH : இந்தக் கேள்வியைப் பொறுத்த வரையில் பவர் டெவலப்மெண்ட் கமிட்டியில் என்னென்ன விவாதிக்கப்பட்டது என்பதாகும். கனம் அங்கத்தினர் வேறு கேள்வி போட்டால், பதில் தர வசதியாக இருக்கும்.

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SRI N. K. PALANISAMI : கனம் அமைச்சர் அவர்கள் எல்லா மாகாணங்களிலும் ஒரே “ டாரிப் ” விதிப்பது பற்றி விவாதிக்கப் பட்டது என்று சொன்னார்கள். அப்படியானால் நம்முடைய மாகாணத்திற்கு எந்த அளவு சார்ஜ் விதிக்கப்படுகிறது? பல சமயங்களில் நமது மாகாணத்தில் சார்ஜ் குறைவாக விதிக்கப்படுகிறது என்று சொல்லப்பட்டிருக்கிறது. அப்படியானால், சார்ஜை உயர்த்துவதற்கு திட்டமா? அல்லது இன்னும் குறைப்பதற்கு உத்தேசமா?

THE HON. SRI V. RAMAIAH : இந்த சப்-கமிட்டியில் விவாதிக்கப்பட்டது பூராவையும் மூலக் கேள்விக்கு பதில் அளித்த நேரத்தில் சொன்னேன். என்ன முடிவு, எந்த மாதிரி சாதகமாகும் என்பதெல்லாம் சதர்ன் ஜோனல் கவுன்சில் கூட்டம் கூடினால் தான் தெரியும்.

Handloom

* 330 Q.—**SRI S. M. ANNAMALAI :** கனம் கைத்தொழில் அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

கைத்தறி தொழிலுக்கு நிதி உதவிக் கார்ப்பரேஷன் ஏற்படுத்தும் உத்தேசம் உண்டா?

THE HON. SRI R. VENKATARAMAN : The Government have included in the draft Third Five-Year Plan a scheme for the establishment of Handloom Finance Corporation in this State with Central assistance.

SRI S. M. ANNAMALAI : இதைக் குறித்து ஸ்டேட் ஹாண்ட்லூம் போர்டின் அபிப்பிராயம் என்ன? இதுபற்றி அவர்களை சர்க்கார் கலந்தாலோசித்தார்களா?

THE HON. SRI R. VENKATARAMAN : 1959-ம் வருஷத்தில் தென் பிராந்திய மண்டலத்தில் இருக்கக்கூடிய கைத்தறி இலாகா மந்திரிகள் எல்லோரும் இங்கு கூடினார்கள். இங்கு செமினார் நடந்தது. அந்தச் செமினாரில் எந்தவிதமான நிதிக் கார்ப்பரேஷன் வைக்கவேண்டுமென்று முடிவு எடுக்கப்பட்டது. அந்த முடிவை இந்த சர்க்கார் மத்திய சர்க்காருக்கு சிபார்சு செய்திருக்கிறார்கள்.

SRI A. A. RASHEED : May I know whether any financial aid has been given to the handloom weavers on account of the accumulation of “ Bleeding Madras ” cloth?

THE HON. SRI R. VENKATARAMAN : Sir, it is a different question.

SRI K. VINAYAKAM : Sir, what is the financial commitment of this Corporation and whether financial aid would be got from the Central Government and if so, what will be the method by which this handloom industry would be assisted?

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THE HON. SRI R. VENKATARAMAN : This is now in the stage of proposal. The State Government have proposed to make a contribution of Rs. 5 lakhs to this Corporation. They have also requested the Government of India to finance this Corporation, and the question of actual amount is still under examination. This Corporation will help the handloom weavers and master weavers outside the co-operative field to market their goods. Financial assistance by way of loans, etc., will be given to the weavers outside the co-operative field.

SRI A. VEDARATHNAM : நிதி உதவி கார்ப்பரேஷனிலிருந்து கைத்தறிக்கும் உதவி செய்ய முடியுமா? கைத்தறிக்கு மாத்திரம் ஒரு தனி நிதி உதவி கார்ப்பரேஷன் ஏற்படுத்த வேண்டிய அவசியம் என்ன? இதைப்போன்று ஒவ்வொரு தொழிலுக்கும் ஒரு கார்ப்பரேஷனை ஏற்படுத்துவதற்கு அரசாங்கத்திற்கு உத்தேசம் உண்டா?

THE HON. SRI R. VENKATARAMAN : இண்டஸ்ட்ரியல் இன்வெஸ்ட்மென்ட் கார்ப்பரேஷனிலிருந்து கைத்தறிக்கு உதவி செய்வது என்பது கஷ்டம். ஏனென்றால் அதில் பரிசீலனை செய்ய வேண்டிய விஷயங்களெல்லாம் வெவ்வேறு. மேலும் கைத்தறிகள் ஏராளமாக இருக்கும் காரணத்தினால் அதற்கு தனியாக ஒரு கார்ப்பரேஷன் வைத்தால் அதற்கு அதிக வேலை இருக்கிறது. அதற்கு பொருளும் அதிகமாக தேவையாக இருக்கிறது. அதற்கு தனியாக ஒரு கார்ப்பரேஷன் நடத்தினால் கைத்தறிக்கு உதவி செய்ய முடியும் என்று சர்க்கார் நினைக்கிறார்கள்.

Electrification

* 337 Q.—**SRI S. M. ANNAMALAI :** கனம் ரெவின்யூ அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) வட ஆற்காடு மாவட்டம், போளூர் தாலுகா அலுவலகத்திற்கு மின்சார விளக்குகள் போடப்பட்டுள்ளனவா?

(இ) இல்லையாயின், எப்போது போடப்படும்?

THE HON. SRI M. BHAKTAVATSALAM : (அ) In the cases

(இ) The Government have since sanctioned the electrification of several revenue office buildings. The Taluk Office building, Polur, is also one of the offices, the electrification of which has been ordered.

SRI S. M. ANNAMALAI : சென்ற வரவு செலவு திட்ட விவாதத்தின்போது நான் இதைப்பற்றி சட்ட மன்றத்தில் சொன்னேன். அப்பொழுது கனம் மந்திரி அவர்கள் 'இவ்வளவு காலதாமதம் ஆவதற்குக் காரணம் கனம் மெம்பர்தான், அவர் இதை எடுத்துச் சொல்லவில்லை முன்னமேயே' என்று சொன்னார்கள். ஐந்து, ஆறு அடி தூரத்தில்தான் மின்சாரம்

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இருக்கிறது. சென்ற வரவு செலவு திட்ட விவாதத்தின்போது இதைப்பற்றி சொல்லியும், ஏறத்தாழ ஒரு ஆண்டு காலமாகியும் இன்னும் செய்யப்படவில்லை. ஏன் இதில் இவ்வளவு காலதாமதம்? இதை உடனடியாக எடுத்துச் செய்வதற்கு சர்க்கார் எடுத்துக் கொண்ட முயற்சிகள் யாவை?

THE HON. SRI M. A. MANICKAVELU : மின்சாரம் இல்லாத ரெவின்யூ இலாகா ஆபீஸ்களுக்கு மின்சாரம் கொடுப்பதற்காக ரூ. 50,000 ஒதுக்கப்பட்டு உத்தரவாகிவிட்டது. பிளான்ஸ் எல்லாம் சாங்ஷன் ஆகிக் கொண்டிருக்கிறது. அநேகமாக இதற்குள் போட்டுவிட்டார்களோ என்னவோ தெரியவில்லை. இன்னும். இரண்டு, மூன்று மாதங்களுக்குள் சீக்கிரம் எல்லாம் போடப் படும்.

SRI S. NAGARAJA MONIGAR : May I know whether this electrification of revenue office buildings will include lights only or fans also?

THE HON. SRI M. A. MANICKAVELU : For the present lights only.

Refugees

* 350 Q.—**SRI S. M. ANNAMALAI :** கனம் உள்விவகார அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) 1960-ம் வருஷம் ஏப்ரல் மாதம் 25-ம் தேதியில் நட்சத் திரக் குறியிடாத கேள்வி எண் 382-க்கு அளித்த பதிலையொட்டி 3-வது, 4-வது அயிட்டங்களில் கண்ட மேற்கு பாகிஸ்தானிலிருந்து வந்த அகதிகளுக்குச் செலவிடப்பட்ட பணத்தை வசூலிக்க எடுத்துக்கொண்ட முயற்சிகள் யாவை?

(இ) இதற்காக மத்திய சர்க்காரிடமிருந்து கிடைத்த பணம் எவ்வளவு?

THE HON. SRI M. BHAKTAVATSALAM : (அ) In the cases of displaced students from West Pakistan who have migrated to other States after completion of their education, the State Governments and Regional Settlement Commissioners have been addressed to contact the loanes concerned and to make arrangements for the recovery of the loans.

As regards the cases of other displaced persons from West Pakistan, instructions have been issued to the Collectors to take coercive steps to recover the loan amounts and also to invoke the provisions of the Revenue Recovery Act wherever necessary.

Recovery is also being effected from the compensation amount payable to displaced persons who have got verified claim for the properties left in Pakistan.

(இ) In respect of urban loans, the Government of India have communicated their general decision to share 50 per cent of the loss on irrecoverable loans, but so far no amount has actually

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been adjusted in the State accounts. The Government of India are examining the details of the cases forwarded to them.

In respect of educational loans, if the loanees are either non-claimants, or dead or absconding, this Government propose to remit the loan amount. The Government of India have been requested to make good the entire loss on this account.

SRI S. M. ANNAMALAI : நம்முடைய மாநிலத்திலிருந்து பிற நாடுகளுக்குச் சென்றவர்களுக்கு எவ்விதமான உதவியும் கிடையாது. இப்பொழுது பாகிஸ்தானிலிருந்து வந்த அகதிகளுக்கு மட்டும் 50 சதவிகிதம் மத்திய சர்க்கார் தருவதாகச் சொல்லியும்கூட, கொடுப்பதற்கு ஏன் இவ்வளவு காலதாமதம் ஆகிறது? ஏன் இந்த சர்க்கார் மத்திய சர்க்காரை வற்புறுத்தி அந்தப் பணத்தை பெறக்கூடாது?

THE HON. SRI M. BHAKTAVATSALAM : நான் அளித்த விடையிலிருந்து இந்தக் கேள்விகள் எழவில்லை. மத்திய சர்க்கார் கொடுப்பதாக ஒப்புக்கொண்டிருக்கிறார்கள். கணக்குப் பார்த்துத் தான் கொடுக்கவேண்டும். ஆனால், இந்த அகதிகளுக்கு கொடுக்கிறதா, இல்லையா என்பதுதான் பிரச்சனை. எதையோ மனதில் வைத்துக்கொண்டு இந்த அகதிகளுக்கு கொடுக்கக்கூடாது என்று நினைத்தால் அது கனம் அங்கத்தினர் அவர்களுடைய அபிப்பிராயமாக இருக்கலாம். அதை அரசாங்கம் ஏற்றுக்கொள்ள முடியாது.

Family Planning

* 353 Q.—**SRI S. M. ANNAMALAI :** கனம் ரெவின்யூ அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விக்குப் பதிலளிப்பாரா—

குடும்பக் கட்டுப்பாடு திட்டத்திற்கு ஃபோர்ட் பெளன் டேஷன் (Ford Foundation) மூலம் உதவி தரப்படுகிறதா?

THE HON. SRI M. A. MANICKAVELU : No grant from the Ford Foundation has been received by this Government for Family Planning.

* 361 Q.—**SRI S. M. ANNAMALAI :** கனம் ரெவின்யூ அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) குடும்பக் கட்டுப்பாடு மருத்துவ நிலையம் நடத்தும் தொழிற்சாலைகளுக்கு சர்க்கார் உதவி புரிகிறார்களா?

(இ) அப்படியானால், அதன் விவரமென்ன?

THE HON. SRI M. A. MANICKAVELU : (அ) No, Sir.

(இ) Does not arise.

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SRI K. PONNIAN : நோட்டீஸ்கள் நிறைந்த வால்பாறை பிரதேசத்தில் குடும்பக் கட்டுப்பாட்டைப் பற்றி போதிப்பதற்கு அரசாங்க நிலையம் கிடையாது. அங்கு இருக்கும் ஆஸ்பத்திரிகளை யெல்லாம் தோட்ட முதலாளிகள்தான் நடத்துகிறார்கள். அப்படி நடத்தப்படும் ஆஸ்பத்திரிகளில் கண்டிப்பாக குடும்பக் கட்டுப்பாட்டைப்பற்றி போதிக்கும்படி சர்க்கார் உத்தரவிடுவார்களா?

THE HON. SRI M. A. MANICKAVELU : இம்மாதிரியான நிலையங்களுக்கு நம்முடைய அரசாங்கம் ஒன்றும் கொடுப்ப தில்லை. மத்திய அரசாங்கம் இம்மாதிரியாக தொழிலாளர்கள் இருக்கும் இடங்களில் உள்ள கிளினிக்குகளுக்குப் பணம் கொடுக்கிறார்கள். சில இடங்களில் வருஷத்திற்கு ரூ. 1,000 கொடுக்கிறார்கள். 'பிரைவேட் பர்ம்ஸ், பாப்டர்ஸ், மில்ஸ்' ஆகிய இடங்களிலுள்ள கிளினிக்குகளுக்கு 'காண்ட்ராஸெம்பிள்' இன்னும் மற்றவைகளும் கொடுக்கிறார்கள்.

SRI S. NAGARAJA MONIGAR : Is the family planning scheme to be advocated throughout the State uniformly or some latitude would be shown to areas which are very sparsely populated when compared to thickly populated areas?

MR. SPEAKER : I am afraid the hon. Member is going beyond the scope of the main question. But if the Hon. Minister is prepared to answer, I have no objection.

Wheat

* 362 Q.—**SRI K. VINAYAKAM** (on behalf of **SRI T. T. DANIEL**) : Will the Hon. the Minister for Home be pleased to state—

(a) whether the Government have taken any steps to popularise wheat diet among the public;

(b) if so, the details thereof; and

(c) whether any aid from America is received by the State branch of the All-India Women Food Council in this regard?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes.

(b) With a view to popularize the use of wheat, a chart showing the food values of rice and wheat was got prepared and copies of it were printed and exhibited at important public places, hotels, cinemas, etc. One lakh copies of the booklet entitled "Recipes of Wheat" were also printed and distributed free among the public through Collectors of districts, hotel owners and various departments of Government. Wheat is also being distributed to public through Fair Price Shops. Till recently the quota per Fair Price Shop was 3 tons per month. It has since been raised to 5 tons per month, as a temporary measure.

(c) No, Sir.

SRI K. VINAYAKAM : Even though wheat has more nutritious value when compared to rice, are the Government aware that consumption of wheat by itself will not be palatable but that it

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needs some palatable dishes? What arrangements have the Government made for the consumers of wheat to supplement their diet so that it may be a substantial one?

THE HON. SRI M. BHAKTAVATSALAM: There is nothing that the Government can do. It is only for the consumers to think of what nutritious food they should take.

SRI A. A. RASHEED: In order to popularise the consumption of wheat, is there a proposal to decontrol the movement of wheat in this country?

THE HON. SRI M. BHAKTAVATSALAM: The hon. Member may except it in due course and there is no difficulty about getting wheat.

Coir

* 363 Q.—SRI V. K. KOTHANDARAMAN: கனம் கைத் தொழில் அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) பனைமரம், தென்னை முதலியவைகளால் தயாராகும் கயிறுகள் எந்த அளவுக்கு எந்தெந்த நாடுகளுக்கு ஏற்றுமதி செய்யப்படுகின்றன?

(இ) இல்லை என்றால், ஏற்றுமதி செய்யும் உத்தேசம் உண்டா?

THE HON. SRI R. VENKATARAMAN: (a) & (b) Yarn made out of palmyrah fibre (or coir fibre) is not exported to foreign countries. But palmyrah fibre worth Rs. 1.46 crores was exported to Belgium, Holland, U.S.A., United Kingdom, Canada, Australia and New Zealand during the years 1955-60.

SRI A. VEDARATHNAM: இறக்குமதி செய்யப்பட்ட பனை நாரைக் கொண்டு வெளிநாடுகளில் என்னென்ன தொழில்கள் செய்கிறார்களோ, அந்தத் தொழில்களை நம்முடைய நாட்டிலேயே நடத்தி, இங்கேயே செய்து 'பிரிஷ்டு பிராடக்ட்ஸ்' ஆக வெளி நாடுகளுக்கு ஏற்றுமதி செய்வதற்கு அரசாங்கம் ஏதாவது முயற்சி செய்யுமா?

THE HON. SRI R. VENKATARAMAN: அவர்கள் இதை எடுத்துக்கொண்டு பிரஷ் செய்கிறார்கள். அதை நாமும் செய்கிறோம். ஆனால் நாம் செய்கிற பிரஷை அவர்கள் வாங்குவதில்லை.

Film

* 364 Q.—SRI T. T. DANIEL: }
SRI K. R. NALLASIVAM: } கனம் கைத்தொழில் அமைச்சர்
SRI S. M. ANNAMALAI: }

அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விக்குப் பதிலளிப்பாரா—

நீலகிரி ஜில்லா ஊட்டியில் கச்சா பிலிம் உற்பத்தி தொழிற்சாலை ஆரம்பிக்கும் முயற்சி எந்த அளவில் உள்ளது?

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THE HON. SRI R. VENKATARAMAN : The selection of site for the photographic raw film factory at Ootacamund has been finalized. The Government of India have formed a company by name "Hindustan Photo Films Manufacturing Company" for establishing and running this factory. Preliminary arrangements have been taken on hand.

SRI S. M. ANNAMALAI : இந்தத் திட்டத்திற்கு வேறு நாடுகள் ஏதாவது உதவி செய்வதற்கு முன் வந்திருக்கிறதா? அப்படியானால் ஏன் காலதாமதம் ஆகிறது? எப்பொழுது இத் திட்டத்தை ஆரம்பிக்க உத்தேசிக்கப்பட்டிருக்கிறது?

THE HON. SRI R. VENKATARAMAN : இதிலே காலதாமதம் ஒன்றும் ஆகவில்லை. பாக்டரி வைக்கவேண்டுமென்று சொன்னவுடனே பாக்டரி வந்துவிடாது. எல்லாவிதமான பூர்வாங்க ஏற்பாடுகளும் நடந்தபிறகுதான் அதைத் துவங்க முடியும். பிரெஞ்சு "கொலாபொரேஷனல்" இதை நடத்துவதாக ஏற்பாடு செய்யப்பட்டிருக்கிறது.

SRI N. R. THIAGARAJAN : அட்டைக் கத்தியை வைத்துக் கொண்டு நிஜக்கத்தி என்று சொல்லி சண்டை போடுவதும், பொம்மைப் புலியை வைத்துக்கொண்டு நிஜப் புலியுடன் சண்டை போடுவதாகச் சொல்லும் போலிப் படத் தயாரிப்பாளர்கள் நீலகிரியில் உற்பத்தியாகும் பிலிம் தரமாக இராமா என்று சொல்லுகிறார்களே, இந்த அட்டைக் கத்தி வீரர்களைத் திருப்தி செய்யும் வகையில் நல்ல பிலிம் தயாரிக்க முடியுமா? (சிரிப்பு).

THE HON. SRI R. VENKATARAMAN : சபாநாயகர் அவர்களே, கனம் அங்கத்தினர் பேசின தமிழ் எனக்குப் புரியவில்லை.

MR. SPEAKER : கடைசியில் பேசினது மட்டும்தான் எனக்கும் புரிந்தது.

SRI J. MATHA GOWDER : தொழிலை ஆரம்பித்த பிறகு எத்தனை பேர்களுக்கு வேலை வாய்ப்புகள் கொடுக்க முடியுமென்று சொல்லமுடியுமா? அந்த ஜில்லா மக்களுக்கு வேலை வாய்ப்புகள் அதிகமாக கிடைக்கக்கூடிய அளவுக்கு ஒரு சதவிகிதம் அவர்களுக்கு கொடுக்கவேண்டுமென்ற உத்தரவை சர்க்கார் பிறப்பிக்குமா?

THE HON. SRI R. VENKATARAMAN : ஒவ்வொரு இடத்திலும் தொழிலை நடத்துகிறபொழுது, அந்த இடத்திலே உள்ளவர்களுக்கு ஒரு சதவிகிதத்தை ஒதுக்க முடியாது. அது நியாயம் அல்ல. ராஜ்யத்திலே இருக்கிற எல்லா மக்களுக்கும் வேலை கிடைக்கவேண்டும். எத்தனை பேர்களுக்கு வேலை கிடைக்குமென்று இப்பொழுது சொல்லுவது அசாத்தியம். காலம் பிடிக்கும்.

SRI A. V. P. ASAITHAMBI : பிரெஞ்சுக் கம்பெனியுடன் ஏதோ ஒப்பந்தம் செய்திருப்பதாக அமைச்சர் சொன்னார்கள்.

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இந்தக் கம்பெனியார் மூலம் தயாரிக்கப்படுகிற பிலிம் கோடக் கம்பெனியார் பிலிம்களைப்போல் அவ்வளவு தரம் உள்ளதாக இருக்காது என்ற சர்ச்சை எழுந்திருக்கிறதே. இதைப்பற்றி அமைச்சர் அவர்களின் கருத்து என்ன?

THE HON. SRI R. VENKATARAMAN : அவரவர்கள் அவரவர்களுடைய சரக்கை நல்லது என்று சொல்லுவதுதான் உலக இயல்பு. கோடக் கம்பெனிக்காரர்கள் தங்களுடைய பிலிம் நல்லது என்று சொல்லுவதுதான் வழக்கம். அந்த கோடக் கம்பெனியிடமிருந்து கடன் வாங்குகிறவர்களும் அப்படியேதான் சொல்லுவார்கள். இந்த பிரெஞ்சுக் கம்பெனியார் பிலிம்கள் செய்துகொண்டிருக்கிறார்கள். அவைகளும் நல்ல முறையில் செலவாகிக்கொண்டு வருகின்றன. ஆகவே இந்தமாதிரி வதந்திகளுக்கு இடம் கொடுக்கக்கூடாது.

THE HON. SRI C. SUBRAMANIAM : சமீபத்திலே நான் பிரான்சுக்குச் சென்ற பொழுது, இந்தக் கம்பெனிக்கும் சென்று பார்த்தேன். முன்னேற்றகரமான இயந்திரங்களை வைத்துக் கொண்டு உற்பத்தி செய்யக்கூடிய கம்பெனிகளில் இந்தக் கம்பெனி முக்கியமானது என்று சொன்னார்கள். கோடக் கம்பெனியையும் பார்த்தேன். அவர்களுடைய பிலிமையும் பார்த்திருக்கிறேன். இது இரண்டிற்கும் வித்தியாசம் இல்லை என்பது என்னுடைய கருத்து.

SRI N. MAHALINGAM : ஆரம்பத்தில் கோடக் கம்பெனியார் நமக்கு அவர்களுடைய ஒத்துழைப்பைத் தர தயாராயில்லாமல் இருந்தார்களா? அதற்குப் பின்னர்தான் பிரெஞ்சுக் கம்பெனியுடன் ஏற்பாடு செய்யப்பட்டதா? அதற்குப்பிறகு கோடக் கம்பெனி ஏஜெண்டுகள் இந்த நாட்டில் வியாபாரம் கெட்டுப்போகுமென்று நினைத்து இந்தமாதிரிப் பிரசாரம் செய்வது உண்மையா?

MR. SPEAKER : I think this question has not been put in the manner in which it should be put. It is out of order. I will not allow discussion on a private company in this House.

Mica

* 365 Q.—**SRI N. K. PALANISAMI :** Will the Hon. the Minister for Industries be pleased to state—

(a) Whether mica is available in Kottaiyiruppu near Tirupattur in East Ramanathapuram district; and

(b) if so, the steps taken to exploit the same?

THE HON. SRI R. VENKATARAMAN : (a) & (b) Mica occurs in pegmatite veins in a drinking water Oorani in Kottaiyiruppu and underneath a bridge on the Sivaganga-Tiruppathur Road in small quantities. The size and quality are not up to the usual commercial standards generally marked in India or exported.

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Paper mill

* 366 Q.—SRI N. K. PALANISAMI: Will the Hon. the Minister for Industries be pleased to state—

(a) whether there is any proposal to start a paper mill in the Kanyakumari district; and

(b) if so, the details thereof?

THE HON. SRI R. VENKATARAMAN : (a) & (b) An application from a private entrepreneur for setting up a paper mill in Kanyakumari district seems to have been made to the Government of India. It is not possible to give any details at this stage.

SRI N. K. PALANISAMI : இப்பொழுது நம் மாகாணத்திற்கு தேவையான நியூஸ்பிரின்ட் மிகக் குறைவாக இருக்கிறது. இதைச் சரிக்கட்டுவதற்கு இப்பொழுது ஒரே பேப்பர் மில்தான் பிரைவேட் செக்டாருக்கு விடப்பட்டிருக்கிறது. ஆகவே சர்க்காரும் கன்னியாகுமரி, திருச்சி போன்ற இடங்களில் “மொலாஸை” உபயோகித்து நியூஸ்பிரின்ட் காகிதத்தைத் தயார் செய்ய நடவடிக்கை எடுப்பார்களா?

THE HON. SRI R. VENKATARAMAN : நியூஸ்பிரின்ட் உற்பத்தி செய்வதற்கு அத்தியாவசியமான மூலப்பொருள்கள் நம்முடைய ராஜ்யத்தில் இல்லை. வெளி நாடுகளில் அதைப்பற்றி ஆராய்ச்சி செய்ததில் Coniferous காடுகள் இருக்கவேண்டுமென்று அவர்கள் முடிவு செய்திருக்கிறார்கள். அதனால்தான் வேறு ஏதாவது பொருள்களை வைத்துக்கொண்டு செய்ய முடியுமா என்று ஆலோசனை செய்துகொண்டிருக்கிறோம். நியூஸ்பிரின்ட் தொழிலை ஆரம்பிப்பது அவ்வளவு சுலபம் அல்ல. அப்படி யாராவது தைரியமாக இந்தத் தொழிலை ஆரம்பிப்பதற்குத் தயாராக இருந்தால் சர்க்கார் அவர்களுக்கு எல்லாவிதமான உதவியும் செய்யும்.

SRI A. V. P. ASAITHAMBI : தற்போது இந்தியாவிலேயே நேபா நகரில்தான் நியூஸ்பிரின்ட் உற்பத்தி நடைபெற்று வருகிறது. தமிழ்நாட்டைப் பொருத்தவரையில் 1940-ம் ஆண்டிலேயே தினத்தந்தி அதிபர் ஆதித்தன் அவர்கள் கையினால் செய்யப்பட்ட காகிதத்தை தன்னுடைய பத்திரிகையில் உபயோகித்துக் காட்டினார்கள். ஆகவே தென்னாட்டிலும் இந்தமாதிரியான வசதிகளை பயன்படுத்த மற்றவர்கள் முன்வராவிட்டாலும், அரசாங்கம் நியூஸ்பிரின்ட் உற்பத்தி செய்வதற்கு முன்வருமா?

THE HON. SRI K. KAMARAJ : அங்கத்தினரே ஒரு பத்திரிகை நடத்துகிறாரே. அப்படிச் செய்து பார்க்கலாமே. (சிரிப்பு.)

THE HON. SRI R. VENKATARAMAN : கனம் அங்கத்தினர் ஒரு பெரிய ஆர்குமென்டையே ஆரம்பித்திருக்கிறார்கள். இங்கே இருக்கக்கூடிய தனி நபர் ஒருவர் கையினால் செய்த காகிதத்தை வைத்து பத்திரிகை நடத்தினார் என்று சொன்னால், ஏன் அதை அவர் கைவிட்டுவிட்டார் என்பதையும் கனம் அங்கத்தினர்

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தெரிந்துகொண்டிருக்கவேண்டும் (சிரிப்பு). கனம் முதல் அமைச்சர் சொல்லுவது போல, கனம் அங்கத்தினரே ஒரு பத்திரிகையை நடத்துகிறார். அவர் ஏன் கையினால் செய்து போப்பரை உபயோகிக்கக்கூடாது என்று முதல் அமைச்சர் சொல்லுகிறார்கள். நியூஸ்பிரின்ட் கையினால் செய்யக்கூடியது அல்ல. அது மிகவும் நுட்பமான ஒரு தொழில் அதற்கு வேண்டிய மூலப்பொருள்கள் இங்கே கிடைக்கவில்லை. ஒரு வேளை பின்னர், புனாகம், வாட்டில் இவைகளை உபயோகித்து ரிசெர்ச்சு மூலமாகச் செய்யமுடியும் என்ற நிலைமை ஏற்பட்டால், சர்க்கார் வேண்டிய உதவிசெய்யும்.

SRI N. K. PALANISAMI : கரும்புச் சக்கையை உபயோகித்து 200 டன் நியூஸ்பிரின்ட் செய்வதற்கு ஒரு லைசென்ஸ் கோரி ஏதாவது ஒரு கம்பெனி சர்க்காருக்கு மனுக் கொடுத்திருக்கிறதா? சர்க்கார் அதன்பேரில் என்ன நடவடிக்கை எடுத்திருக்கிறார்கள்?

THE HON. SRI R. VENKATARAMAN : கரும்புச் சக்கையை வைத்துக்கொண்டு நியூஸ்பிரின்ட் செய்யமுடியாது, எழுதும் பேப்பர்தான் செய்ய முடியும்.

SRI P. S. K. LAKSHMIPATHIRAJ : மதுரை மாவட்டத்திலே காகித ஆலை ஒன்று நிறுவுவதற்கு மனுச் செய்திருக்கிறார்களே, அதன் முடிவு என்ன?

THE HON. SRI R. VENKATARAMAN : ஒரு லைசென்ஸ் ரொம்ப நாட்களாகத் தூங்கிக் கொண்டிருக்கிறது.

Fertilizer distribution

* 367 Q.—**SRI S. M. ANNAMALAI :** கனம் உள்விவகார அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) மத்திய சர்க்காரால் நியமிக்கப்பட்ட உர விநியோக விசாரணைக் குழுவின் அறிக்கை மாநில சர்க்காருக்கு கிடைத்ததா?

(இ) அப்படியானால், அதன் விவரமென்ன?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir.

(b) A statement ^a showing the conclusions and recommendations of the Fertilizer Distribution Enquiry Committee is placed on the table of the House.

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SRI S. M. ANNAMALAI : கனம் சபாநாயகர் அவர்களே, இந்தக் கேள்விக்குப் பதில் பத்து பக்கங்கள் இருக்கின்றன. ஆகவே நாளைக்கு எடுத்துக்கொள்ளலாமென்று கேட்டுக்கொள்கிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : மேஜை மீது இருக்கிற பேப்பர் அரசாங்கத்தின் பரிசீலனையில் இருக்கிறது என்று தான் சொல்லமுடியும்.

MR. SPEAKER : இன்னொன்று நாளைக்கு எடுத்துக்கொண்டாலும் இதே பதிலைத்தான் மந்திரி அவர்கள் கொடுக்கமுடியும்.

SRI N. K. PALANISAMI : இப்பொழுது பெர்ட்டிலைசர் பற்றாக்குறை ஏராளமாக இருக்கிறது. கமிட்டி சொல்லக்கூடிய பிரகாரம் பல ஏஜென்சிகள் “அன்பாப்புலர்” மிக்சர்க்களையும், பெர்ட்டிலைசர்க்களையும் உபயோகிப்பதில்லை என்று சொல்லியிருக்கிறார்கள். அமோனியம் சல்பேட் உரம் கேட்கும்பொழுது “அன்பாப்புலர்” பெர்ட்டிலைசர்க்களையும், மிக்சர்க்களையும் சேர்த்துக் கொடுப்பதற்கு சர்க்கார் என்ன நடவடிக்கை எடுத்திருக்கிறது?

THE HON. SRI M. BHAKTAVATSALAM : அம்மோனியம் சல்பேட் கேட்கிறபொழுது, வேறு எதையும் சேர்த்துக் கொடுப்பது சரியல்ல. கூடியவரை விவசாயிகள் எது எது வேண்டுமென்று சொல்லுகிறார்களோ, அதை வரவழைத்துக் கொடுப்பது தான் நியாயம் என்று சர்க்கார் கருதுகிறது.

SRI V. K. RAMASWAMY MUDALIYAR : Will the Government tell us whether they would be prepared to place the decisions on the table of the House, when they decide this question finally?

THE HON. SRI M. BHAKTAVATSALAM : I would suggest to the hon. Member to put a separate question. In the meanwhile when this is being examined, if a separate question is put answers will be given.

SRI N. K. PALANISAMI : அம்மோனியம் சல்பேட்டுக்குப் போடப்பட்டிருக்கிற விற்பனை வரியைக் கொஞ்சம் குறைத்தால் அதன் விலை கொஞ்சம் குறைவாக ஆகும், என்று சிபாரிசு செய்யப்பட்டிருக்கிறது. அப்படியானால் அதன் பிரகாரம் அம்மோனியம் சல்பேட்டுக்கும் போடப்பட்டிருக்கிற விற்பனை வரியை ரத்து செய்வதற்கு சர்க்கார் முயற்சிக்குமா? 10-30 a.m.

THE HON. SRI M. BHAKTAVATSALAM : இப்போதைய பிரச்சனை அம்மோனியம் சல்பேட்டின் விலையைக் குறைக்கவேண்டும் என்பது அல்ல. அது கிடைக்கவில்லை என்பதுதான். விலை அதிகம் என்பதைப்பற்றி அல்ல.

Overbridges

* 368 Q.—**SRI A. A. RASHEED :** Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Corporation of Madras have asked for a loan from this Government for the construction of two overbridges, one

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at Lighthouse and another at Tiruvottiyur High Road in the City; and

(b) if so, the reply sent thereon?

THE HON. SRIMATHI LOURDHAMMAL SIMON : (a) The Corporation has asked for loans and grants for the construction of Lighthouse Road overbridge and Tiruvottiyur High Road overbridge.

(b) The Government have sanctioned to the Corporation a grant of Rs. 2.5 lakhs and a loan of Rs. 2.5 lakhs during the current financial year (i.e., 1960-61) for the construction of the said over-bridges.

SRI A. A. RASHEED : May I know, Sir, the amount of loan asked for by the Corporation?

THE HON. SRIMATHI LOURDHAMMAL SIMON : The following are figures asked for as loan :—

Lighthouse overbridge—Rs. 11,88,000.

Tiruvottiyur High Road over-bridge—Rs. 15,40,000.

The Government have provided a sum of Rs. 2.5 lakhs as loan for 1960-61.

SRI A. A. RASHEED : May I know, Sir, the share of the Railway towards the cost of construction of these two overbridges in Madras City?

THE HON. SRIMATHI LOURDHAMMAL SIMON : In respect of construction of these overbridges the portion of the bridge over the railway lines will be built by the Ministry of Railways, Government of India, and the approaches to the over bridges will be formed by the Corporation of Madras.

SRI K. VINAYAKAM : Sir, is it a fact that the construction of the over-bridge near the Light House is held up due to the springing up of two buildings, viz., the Madras Port Trust building and the Reserve Bank of India building, Madras, and is it a fact that it is going to be dropped as it could not be fitted in in the new lay-out for the construction of the overbridge?

THE HON. SRIMATHI LOURDHAMMAL SIMON : The Government have agreed to meet half the cost of the scheme as grant and the other half as loan. I think for this particular question, the hon. Member may put a separate question.

SRI A. A. RASHEED : May I know, Sir, whether this work will be taken up during this year?

THE HON. SRIMATHI LOURDHAMMAL SIMON : The hon. Member may put a separate question.

SRI K. ANBAZHAGAN : தலைவர் அவர்களே, சென்னை நகரத்தில் மேம்பாலங்கள் கட்டுவதைத் தொடங்குவதில் நகராண்மைக் கழகம் தாமதம் செய்கிறது என்றும், அதனால் அப்படிப்பட்ட மேம்பாலங்கள் கட்டப்பட முடியா

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வில்லை என்று அரசாங்கம் கருதுகிறதா? அல்லது அரசாங்கத்தைச் சேர்ந்தவர்கள் கருதுகிறார்களா? அப்படிக் கருதினால் அதற்குக் காரணம் என்ன என்பதைத் தருவார்களா?

THE HON. SRIMATHI LOURDHAMMAL SIMON : அப்படி அரசாங்கம் கருதவில்லை. தற்பொழுது அதை நடவடிக்கையில் கொண்டு வரவேண்டும் என்று தான் அரசாங்கமும் கார்ப்பரேஷனும் கருதுகிறார்கள்.

SRI S. NAGARAJA MONIGAR : சார், அரசாங்க அமைப்பு முறையில் ஒரு ஸ்தாபனம் மற்றொரு ஸ்தாபனத்திலிருந்து பெற வேண்டிய பணத்தைப் பெருவதற்கு முயற்சி எடுத்துக்கொள்ளும் போது காவடி எடுக்கிறது என்றும் அடிபணிகிறது என்றும் சொல்லுகிறார்களே அப்படி என்ன செய்கிறார்கள்? அப்படி கொடுத்தப் பணத்தை வாங்கி செலவு செய்கிறார்களா கார்ப்பரேஷன்?

(No answer.)

SRI K. VINAYAKAM : Sir, may I know whether a list of priority of the over-bridges to be constructed in the City of Madras has been drawn up by the Government and given to the Corporation of Madras and if so, in that priority list where does the Kodambakkam over-bridge stand?

THE HON. SRIMATHI LOURDHAMMAL SIMON : This question does not arise from the original question. With regard to question of grant and loan, I have given the answer.

Baby food

* 369 Q.—**SRI V. K. KOTHANDARAMAN** (on behalf of **SRI K. SATTANATHA KARAYALAR**) : Will the Hon. the Minister for Industries be pleased to state the present stage of the proposal to start a baby food factory?

THE HON. SRI R. VENKATARAMAN : The proposal is still under investigation.

SRI J. MATHA GOWDER : ஸார், கனம் அமைச்சர் அவர்கள் சொல்லும்போது அது பரிசீலனையில் இருக்கிறது என்று சொல்லுகிறார்கள். சென்ற இரண்டாவது ஐந்தாண்டுத் திட்ட காலத்தில் இதை ஒத்தி வைத்து விட்டு மூன்றாவது ஐந்தாண்டு திட்டத்தில் சேர்க்க முயற்சிக்கிறார்களா? அப்படிப்பட்ட முயற்சி எந்த அளவில் இருக்கிறது? அப்படி மூன்றாவது ஐந்தாண்டு திட்டத்திலாவது சேர்ப்பதாக இருந்தால் அதை அந்த திட்ட காலத்தின் ஆரம்பத்திலேயே சேர்ப்பதற்கு இந்த அரசாங்கம் முயற்சி எடுத்துக்கொள்ளுமா? மூன்றாவது ஐந்தாண்டு திட்ட கால ஆரம்பத்திலேயே இந்த உற்பத்தியைச் செய்ய தொடங்குவதற்கு இந்தச் சர்க்கார் முன் வருமா?

THE HON. SRI R. VENKATARAMAN : “Counting the chickens before they are hatched” என்று ஆங்கிலத்தில் சொல்லுவார்கள். அதுபோல் இருக்கிறது இந்தக் கேள்வி. இது

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பரிசீலனையில் இருக்கிறது என்று சொல்லும்போது அதில் சர்க்காருடைய முயற்சிக்கு குறைவு இல்லை. வெளி நாட்டு உதவி எவ்வளவு கிடக்கிறதோ அதைப் பொறுத்து இருக்கிறது சர்க்காருடைய முயற்சி. அதற்கு வெளி நாட்டிலிருந்து வரக்கூடிய உதவியைக் கொண்டுதான் நிறைவேற்ற முடியும். அது இல்லாமல் ஒன்றும் செய்வதற்கு இல்லை. முதலில் “டேனிஷ் கோவாப் ரேஷன்” எங்களுக்கு உதவி செய்ய முன் வந்தார்கள். அப்பொழுது எல்லா திட்டங்களையும் செய்ய தயாராக இருந்தோம். பிறகு அவர்கள் பின் வாங்கி விட்டார்கள். அதனால் அவைகளை இப்பொழுது கொண்டு வர முடியவில்லை. அதனால் இப்பொழுது முடியும் என்று சொல்வதற்கு இல்லை.

Oil-mongers' Association, Pazhampettai

* 370 Q.—SRI M. P. SARATHI : கனம் உள்விவகார அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) வட ஆற்காடு மாவட்டம், பழம்பேட்டை என்னைய உற்பத்தியாளர் சங்கத்தில் சம்பந்தத்தில் பூட்டை உடைத்துத் திருட்டு நடந்ததாக போலீசாரிடம் புகார் வந்ததா?

(இ) போலீசாரின் புலன் விசாரணை எந்த நிலையில் உள்ளது?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir. The complaint was made in March 1959.

(b) The case was treated as false, after a thorough investigation, and the person who gave the false complaint was appropriately punished by the competent courts.

SRI M. P. SARATHI : சார், போலீசார் விசாரணையில் அந்தப் புகார் செய்தவர்தான் அந்தக் குற்றத்தைச் செய்திருப்பதாகச் சொல்லி இருக்கிறார்களா? அதன் பேரில் என்ன நடவடிக்கை எடுக்கப்பட்டிருக்கிறது?

THE HON. SRI M. BHAKTAVATSALAM : அதையேதான் நான் பதிலும் சொன்னேன். புகார் செய்தவரே பணத்தை எடுத்துக் கொண்டு விட்டு புகார் செய்திருக்கிறார் என்று தெரிய வந்தது. அதன்பேரில் அவர் மீது நடவடிக்கை எடுக்கப்பட்டு அந்த வகையில் அவருக்கு ஐம்பது ரூபாய் அபராதம்; அதைக் கட்டத் தவறினால் ஆறு மாத சிறை தண்டனை என்று தண்டனை கொடுக்கப்பட்டிருக்கிறது.

Adulteration

* 371 Q.—SRI A. VEDARATHNAM : கனம் ரெவின்யூ அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) கூட்டுறவு சங்கங்கள் நடத்தும் உணவுப் பொருள் வர்த்தகத்தில் கலப்படமிருக்கிறதா எனப் பரிசீலனை செய்யப்படுகிறதா?

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(இ) அப்படியானால் அதன் விவரமென்ன?

(உ) இந்த ஒழுங்கினங்களைத் தவிர்த்து நேர்மையை நிலைநாட்ட அரசாங்கம் என்ன நடவடிக்கை எடுத்துக்கொண்டிருக்கிறது?

THE HON. SRI M. A. MANICKAVELU : (a) Yes, Sir.

(b) A statement^a is placed on the table of the House.

(c) Under the provisions of the Prevention of Food Adulteration Act, 1954 (Central Act 37 of 1954), necessary action is being taken to prevent the manufacture and sale of any adulterated food including sale of foodstuffs by Co-operative societies.

SRI A. VEDARATHNAM : கூட்டுறவு சங்கங்களில் விற்கப் படுகின்ற பொருள்கள் மீது அக் மார்க் போட் வேண்டுமென்று உத்தரவிட்டிருக்கிறார்களா? கலப்படத்தைத் தடுப்பதற்கு எல்லா பொருள்களுக்கும் அக் மார்க் போட்டு அதன் பிறகு விற்பனை செய்ய வேண்டும் என்ற உத்தரவை அரசாங்கம் பிறப்பிக்க முன் வருமா?

THE HON. SRI M. A. MANICKAVELU : நெய் போன்ற சில பொருள்களுக்கும் அக் மார்க் போட்டு அதன் பிறகு விற்பனை கலப்படம் செய்யக்கூடிய பொருள்களுக்கு எல்லாம் போட் வேண்டும் என்று இருக்கிறது. அப்படிப் போட்டால்தான் கலப்படம் செய்யக்கூடாது என்று இருப்பார்கள். அப்படிச் செய்வதற்கு வேண்டிய திட்டம் இருக்கிறது. அப்படிச் செய்தால் தான் கலப்படம் செய்வது கொஞ்சம் அடங்கி விடும்.

SRI A. A. RASHEED : Sir, is there any proposal to enhance the punishment to the offenders of the Food Adulteration Act?

THE HON. SRI M. A. MANICKAVELU : Even under the present circumstances, there is plenty of scope for enhanced punishment. It may be seen from the statement placed on the table of the House, a person was fined Rs. 1,000 and there is imprisonment also in some cases.

SRI K. R. VISWANATHAN : தலைவர் அவர்களே, சில பொருள்கள் உற்பத்தியாகும் இடத்திலேயே கலப்படம் செய்யப் படுவதால் அதை வாங்கும் சில்லரை வியாபாரிகள் அது தெரியாமல் வாங்குவதால் அவர்கள் குற்றவாளிகள் என்று கருதி அவர்களுக்கு தண்டனை கொடுக்கிறார்கள். சில்லரை வியாபாரிகள் குற்றம் செய்யாதவர்களாக இருந்தாலும் அவர்கள் குற்றவாளிகள் என்று கருதி அவர்களை தண்டிக்கிறார்கள். ஆகவே சில்லரை வியாபாரிகளை தண்டிக்காமல் இருக்க அவர்களுக்கு விலக்கு அளிக்க சர்க்கார் முன் வருவார்களா?

THE HON. SRI M. A. MANICKAVELU : அப்படிச் செய்தால் எல்லாரும் விலக்கு கேட்க முன் வருவார்கள். சில்லரை வியாபாரிகளும் ஜாக்கிரதையாக இருக்கவேண்டும் என்பதற்காகத்தான்

[18th February 1961]

அப்படி போடப்பட்டிருக்கிறது. ஆகவே சில்லரை வியாபாரிகளும் பொருள்களை உற்பத்தியாகும் இடத்தில் வாங்கும்போது ஜாக்கிரதையாக இருக்கவேண்டும், அவைகளை பரிசீலனை செய்து பார்த்து வாங்க வேண்டும். அவைகளை செக் பண்ணி பார்த்து வாங்க வேண்டும்.

Virudunagar

* 372 Q.—SRI K. VINAYAKAM : Will the Hon. the Minister for Revenue be pleased to state whether there is any proposal to form a new district of Virudunagar from out of Madurai and Tirunelveli districts?

THE HON. SRI M. A. MANICKAVELU : No, Sir.

SRI K. VINAYAKAM : Sir, was any popular representation in the form of mahazar received by the Government in connexion with the formation of a new district known as Virudunagar from the residents, merchants and the neighbourhood of Virudunagar?

THE HON. SRI M. A. MANICKAVELU : Popular or not, I think there was some representation about this matter, not only about this district but also about other districts. The Government have examined this and wanted to do something in that direction. But later on it had been deferred and now we have appointed District Revenue Officers to relieve the work of the Collectors and we shall watch how it works and later on we shall look into it.

SRI A. V. P. ASAITHAMBI : இந்த மாதிரியான ஒரு கேள்வியை முன்பு ஒரு முறை கேட்டதற்கு அவைகள் எல்லாம் பரிசீலனையில் இருக்கிறது என்று கனம் அமைச்சர் அவர்கள் சொன்னார். இராமநாதபுரம் மாவட்ட தலைநகர் வேறு ஒரு இடத்தில் இருப்பதால் அந்த மாவட்ட மக்கள் ரொம்பவும் அவதிப்படுகிறார்கள். அது கனம் அமைச்சர் அவர்களுக்கு நன்கு தெரியும், அதைப்பற்றி கனம் அமைச்சருக்கும் ஏற்கனவே தெளிவு படுத்தியிருக்கிறது. மதுரை மாவட்டத்திலுள்ள சில பகுதிகளை எடுத்து திருநெல்வேலி மாவட்டத்திலுள்ள சில பகுதிகளையும் எடுத்து, எல்லாவற்றையும் சேர்த்து கீழ் இராமநாதபுரத்தை தனியாக அமைத்து வேறு மாவட்டமாகச் செய்து, அப்படி மதுரை மாவட்டத்திலுள்ள பகுதியிலுள்ள சிலவற்றை எடுத்துச் சேர்த்து விருதுநகர் மாவட்டம் என்று ஒரு தனி மாவட்டத்தை ஏற்படுத்தினால் நிர்வாகத்தில் கொஞ்சம் வசதி ஏற்படும் அல்லவா?

THE HON. SRI M. A. MANICKAVELU : இதைப்பற்றி ஏற்கெனவே நான் பதிலளிக்கும்போது சொன்னேன் இது பரிசீலனையில் இருக்கிறது என்று. அப்பொழுது பரிசீலனையில்தான் இருந்தது. பிறகு அது ஒத்திவைக்கப்பட்டிருக்கிறது. இப்பொழுது நான் சொன்னது புதியது. இன்றைக்கு ஒரு டிஸ்ட்ரிக்ட் ரெவினியூ ஆபீசரை நியமித்திருக்கிறோம்.

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SRI N. R. THIAGARAJAN : இராமநாதபுரம் ஜில்லாவிலுள்ள சாத்தூர், ஸ்ரீவில்லிபுத்தூர், அருப்புக்கோட்டை ஆகிய மூன்று தாலுகாக்களையும், நெல்லை ஜில்லாவிலுள்ள கோவில்பட்டி, சங்கரன்கோயில் ஆகிய இரண்டு தாலுகாக்களையும் ஒன்றாகச் சேர்த்து, விருதுநகர் ஜில்லா என்று அமைத்தால், 15 லட்சம் மக்களைக் கொண்ட அழகிய ஜில்லாவாக இருக்குமென்பதைக் கருதி, சர்க்கார் புனராலோசனை செய்யுமா?

THE HON. SRI M. A. MANICKAVELU : இந்த ஜில்லா மாத்திரமல்ல; கோயமுத்தூர், சேலம் ஜில்லாக்கள், இன்னும் பல ஜில்லாக்களையும் இம்மாதிரியாகப் பிரிக்கவேண்டுமென்ற யோசனை வந்தது. தற்காலிகமாக, புதிதாக டிஸ்ட்ரிக்ட் ரெவினியூ ஆபீசர்கள் வேலை செய்கிறார்கள். மறுபடியும் இதைப்பற்றி யோசிக்கலாம்.

SRI A. VEDARATHNAM : கனம் அமைச்சர் அவர்கள், வேறு பல ஜில்லாக்களிலிருந்தும் இம்மாதிரி கோரிக்கை வந்ததாகக் குறிப்பிட்டார்கள். எந்த எந்த ஜில்லாக்களிலிருந்து கோரிக்கை வந்தது என்று அமைச்சர் அவர்கள் தயவுசெய்து சொல்ல முடியுமா?

THE HON. SRI M. A. MANICKAVELU : தஞ்சை ஜில்லாவும் அவைகளில் ஒன்று.

Dispensary (Ariyalur)

* 373 Q.—**SRI K. R. VISWANATHAN :** Will the Hon. the Minister for Revenue be pleased to state whether the existing staff and bed-strength in the Ariyalur Local Fund Dispensary are adequate?

THE HON. SRI M. A. MANICKAVELU : The present sanctioned bed-strength of the Government Hospital, Ariyalur, is 20 and the staff employed is more than that admissible under the rules. The question of increasing the bed-strength of the hospital is under consideration.

SRI K. R. VISWANATHAN : இந்த அரசாங்க மருத்துவ விடுதியில் அலுவலக எழுத்தாளர், கம்பெளண்டர், இவ்விருவருடைய வேலைகளையும் ஒரே ஒருவர்தான் பார்த்துக்கொண்டு வருகிறார். இந்த மருத்துவ விடுதிக்கு ஐந்து வருஷங்களுக்கு முன் வந்துகொண்டிருந்த புற நோயாளிகளுடைய எண்ணிக்கை இன்றைக்கு இரண்டு மடங்கு, மூன்று மடங்கு அதிகரித்திருக்கிறது என்பது அரசாங்கத்தின் கவனத்திற்குக் கொண்டுவரப்பட்டிருக்கிறதா? அப்படியானால், அலுவலக எழுத்தாளர், கம்பெளண்டர் இவ்விரு வேலைகளுக்கும் தனித் தனியே நபர்களை நியமிக்க அரசாங்கம் முன்வருமா?

[18th February 1961]

THE HON. SRI M. A. MANICKAVELU :

அவுட்-பேஷன்ட்

டிபார்ட்மெண்டுக்காக வேறு ஒரு புதுக் கட்டிடம் கட்டும் வேலை நடந்துகொண்டிருக்கிறது. அது பூர்த்தி ஆனதும் 12 படுக்கைகளுக்கு அங்கு ஏற்பாடு ஆகும். அது தவிர, 12 படுக்கைகள் அதிகமாக ஏற்படுத்துவதற்கும் திட்டம் இருக்கிறது.

பார்மலிஸ்ட் நியமிக்கும் விஷயத்தில், 75 படுக்கைகளுக்கு ஒரு பார்மலிஸ்ட், 100 அவுட்-பேஷண்டுகளுக்கு ஒரு பார்மலிஸ்ட் என்ற முறையிலேதான் நியமனம் ஆகிறது. இந்த ஆஸ்பத் திரிக்கும் ஒருவர் இருக்கிறார். ஏதோ தற்காலிகமாக ஒருவர் இன்னொருவர் வேலையைப் பார்த்தால் யாராவது லீவில் போயிருக்கலாம், அல்லது வேறு காரணமாக இருக்கலாம்.

Handloom goods

* 374 Q.—SRI A. VEDARATHNAM : கனம் கைத்தொழில் அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) கைத்தறி துணி ஏற்றுமதியை அதிகரிக்க வெளிநாடுகளுக்கு தூது கோஷ்டி அனுப்பும் உத்தேசம் அரசாங்கத்திற்கு உண்டா?

(இ) அப்படியானால், யார் யாரைக்கொண்ட தூது கோஷ்டி எந்தெந்த நாடுகளுக்கு எப்போது அனுப்பப்படும்?

(உ) எவ்வளவு காலம் தூது கோஷ்டியின் சுற்றுப்பிரயாணம் நீடிக்கும்?

THE HON. SRI R. VENKATARAMAN : (a) No, Sir. Only recently a delegation returned after visiting South East Asian countries.

(b) & (c) Do not arise.

SRI A. VEDARATHNAM : சமீபத்தில் தூரக் கிழக்குப் பிரதேசத்தில் சுற்றுப் பிரயாணம் செய்து வந்தார்களே, அதனுடைய பலன் என்ன என்பதைத் தயவுசெய்து அறிவிக்க முடியுமா?

THE HON. SRI R. VENKATARAMAN : சிலோன், மலேயா, ஹாங்காங் போன்ற பிரதேசங்களில் எந்த அளவுக்குக் கைத்தறித் துணியை விற்க முடியும் என்று அந்தத் தூது கோஷ்டியினர் பரிசீலனை செய்தார்கள். அவர்கள் சில சிபார்சுகள் செய்திருக்கிறார்கள். அதில் சென்ற நான்கு பேர்களும் வியாபாரிகள். அதனால் அவர்கள் அங்கு விற்பனை செய்வதற்கான முயற்சிகளையும் செய்து விட்டு வந்திருக்கிறார்கள். அவர்களுடைய ரிபோர்ட் பரிசீலனையில் இருக்கிறது.

SRI SOWDI S. SUNDARA BHARATHI : Will the Government consider the setting up of an organization to control and see that only standardized goods are exported and all goods not up to the standard are prevented from being exported?

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THE HON. SRI R. VENKATARAMAN : We are living in a free and competitive economy and it is not possible to say that only certain kinds of goods should be exported. It is up to the buyers to get the goods marked by the Institute which we have here in Madras for marking cloth. We have a voluntary marking scheme and the importers should take care to get goods which are marked under the scheme. Then there will be less difficulty about the quality of the cloth exported.

SRIMATHI T. N. ANANDANAYAKI : 'மிள்டிங் மெட்ராஸ்' போன்றவைகளுக்கெல்லாம் நல்ல 'டிமாண்டு' அமெரிக்காவில் இருக்கிறதென்று சொல்கிறார்களே, அதனால் அமெரிக்காவுக்கு ஏன் ஒரு தூதுகோஷ்டி அனுப்பக்கூடாது?

THE HON. SRI R. VENKATARAMAN : அமெரிக்காவுக்கு தூதுகோஷ்டி போய் வந்தார்கள். அதன்பின் தான் 'டிமாண்டு' ஏற்பட்டது. ஆனால், தரம் குறைந்த துணியை அனுப்பி அந்த டிமாண்டை இப்பொழுது நாம் குறைத்துவிட்டோம்.

SRI M. R. KANDASWAMI MUDALIYAR : நம் நாட்டிலே மிகப் பெரிய குடிசைத் தொழிலாக கைத்தறித் தொழில் இருப்பதாலும், அந்தத் தொழிலை நம்பி பெரும்பாலான தொழிலாளிகள் இருப்பதாலும், இந்தத் தொழிலை முன்னேற்ற வேண்டி, வேளி நாடுகளுக்கு தூதுகோஷ்டி அனுப்பி, எந்த எந்த நாடுகளில் நம் முடைய கைத்தறி துணிக்குக் கிராக்கி இருக்கிறதென்று தெரிந்து, அந்தந்த இடங்களில் உடனடியாக மார்க்கெட் ஏற்படுத்திக் கொடுக்க ஏன் அரசாங்கம் முன்வரவில்லை? சமீபத்தில் வேளியே சென்று வந்தவர்கள், நம் துணிக்கு சிலோன் போன்ற இடங்களில் நல்ல கிராக்கி இருக்கிறதென்று சொல்லியிருந்தும், உடனடியாக அவ்விடங்களுக்கு தூதுகோஷ்டி அனுப்பாமலிருக்கக் காரணம் என்ன?

THE HON. SRI R. VENKATARAMAN : நான் சொன்ன பதிலைக் கனம் அங்கத்தினர் புரிந்துகொள்ளவில்லை. தூதுகோஷ்டி சென்று வந்து இன்னும் இரண்டு மாதங்கூட ஆகவில்லை. அடிக்கடி தூதுகோஷ்டி அனுப்புவதினால் வியாபாரம் ஆகாது. விற்பனை செய்வதற்கு முக்கியமாக தரம் நன்றாக இருக்க வேண்டும். தரம் சரியாகக் காப்பாற்றப்படாததால் தான் நமது வியாபாரம் கொஞ்சம் பாதிக்கப்படுகிறது.

Cleanliness Day.

* 375 Q.—**SRI S. M. ANNAMALAI :** கனம் ரெவின்யூ அசைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) 1960 அக்டோபர் 2-ந் தேதியில் Cleanliness Day கொண்டாடும்படி மத்திய சர்க்கார் மாநில சர்க்காரைக் கேட்டுக்கொண்டார்களா?

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(இ) அப்படியாயின் எத்தனை இடங்களில் கொண்டாடப் பட்டது?

THE HON. SRI M. A. MANICKAVELU : (a) Yes, Sir.

(b) The day was celebrated throughout the State.

SRI S. M. ANNAMALAI : இந்த விழாக் கொண்டாடுவதற்காக மத்திய சர்க்கார் எவ்வளவு பணம் தருகிறார்கள்?

THE HON. SRI M. A. MANICKAVELU : அந்தத் தகவல் ஒன்றும் இல்லை. அரசாங்கமே ஆங்காங்கு பிரசாரம் செய்தது. நேரடியாக அனேக இடங்களில் தெரு சுத்தம் செய்யப்பட்டது. இம்மாதிரி செய்வது இதுதான் முதல் வருஷம். இதில் பொது மக்களும் நன்றாக ஒத்துழைத்தார்கள். மற்ற வருஷங்களிலும் இது நன்றாக நடக்கும் என்று எதிர்பார்க்கிறோம்.

SRI A. A. RASHEED : Sir, may I know whether any "brain washing" has been done during the Cleanliness Day?

THE HON. SRI M. A. MANICKAVELU : All those having brains would have had a wash, I suppose.

Devaswom Board

MR. SPEAKER : As the hon. Member who gave notice of question No. 376 is not in his seat, the question and answer will be printed in the proceedings.

* 376 Q.—SRI T. T. DANIEL :

Mr. T. S. RAMASWAMI : } Will the Hon. the Minister for Home be pleased to state—

(a) whether the rules for the management of the Kanyakumari Devaswom Board have been framed;

(b) the rate of travelling allowance allowed to them; and

(c) whether any honorarium is given to them?

THE HON. SRI M. BHAKTAVATSALAM : (a) Rules under section 29 (g) of the Madras (Transferred Territory) Incorporated and Unincorporated Devaswoms Act, 1959, regarding the grant of travelling and halting allowances to the members of the Kanyakumari Devaswom Board have been framed. The rules under the other provisions of the Act are under the examination of the Government.

(b) The members of the Kanyakumari Devaswom Board are eligible for travelling and daily allowances of mileage at the rates allowed to Members of the First-class Government Committees.

(c) No, Sir.

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Salt

* 377 Q.—SRI V. K. KOTHANDARAMAN : கனம் உள் விவகார அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விக்குப் பதிலளிப்பாரா—

உரத்தில் உப்பு கலப்படம் செய்பவர்களினமீதும், கள்ள மார்க்கட்டில் அதிக விலைக்கு விற்கக்கூடியவர்கள் மீதும் கடுமையான தண்டனை விதிக்க சட்டம் கொண்டுவர உத்தேசம் உண்டா?

THE HON. SRI M. BHAKTAVATSALAM: No, Sir. Sufficient provisions for the purpose are available under the Fertilizer Control Order, 1957, which is in force in this State.

SRI V. K. KOTHANDARAMAN : கலப்படம் செய்து விற்பனை செய்தாலும் சரி, கள்ள மார்க்கட்டிலே விற்பனை செய்தாலும் சரி, அவை பற்றிய பல கேஸ்கள் பிடித்துக் கொடுக்கப்பட்டிருக்கின்றன; கனம் அமைச்சர் அவர்களுடைய கவனத்திற்கும் கொண்டுவரப்பட்டிருக்கிறது. இப்பொழுதிருக்கும் சட்டப்படி கேஸ் போட முடியாத நிலைமை இருக்கிறது. அப்படியே தப்பித் தவறி கேஸ் போட்டாலும், ஐந்து ரூபாய், பத்து ரூபாய்க்கு மேலே அபராதம் விதிக்க முடியாத நிலைமை இருக்கிறது. ஆகவே, கடுமையாக நடவடிக்கை எடுக்கக்கூடிய ஒரு சட்டத்தைக் கொண்டு வர வேண்டும். அப்படிக் கொண்டுவருவதன் மூலமாகத்தான் கலப்படத்தைத் தடுக்க முடியும், உர விநியோகத்தையும் நல்ல முறையில் நடத்த முடியும் என்பதை அமைச்சர் உணர்ந்து இருந்தும், அதற்கேற்றவாறு கடுமையான நடவடிக்கை எடுக்கக் கூடிய அளவுக்கு சட்டத்தைக் கொண்டுவர ஏன் தயங்குகிறார் என்பதை விளக்குவாரா?

THE HON. SRI M. BHAKTAVATSALAM : நடவடிக்கை எடுத்துக்கொள்ளப்படுவதற்கு இப்பொழுது இருக்கும் சட்டம் போதுமானது என்று இந்த அரசாங்கம் கருதுகிறது. நடவடிக்கை எடுக்கும்போது போதிய சாட்சியம் வேண்டியிருக்கிறது. சாட்சியங்களை நீதிபதிகள் விசாரித்து அவர்களுக்குத் தோன்றிய தண்டனை கொடுக்கிறார்கள்.

SRI R. SRINIVASA IYER : உப்பை உரத்தோடு போட்டு 'அடல்டரேட்' பண்ணியது மாதிரி இந்தக் கேள்வி கேட்கப்பட்டிருக்கிறதே, அம்மாதிரி உப்பை உரத்தோடு கலந்து விற்பதாகக் கேஸ் வந்திருக்கிறதா? அதன் பேரில் நடவடிக்கை எடுக்கப்பட்டிருக்கிறதா?

THE HON. SRI M. BHAKTAVATSALAM : கேள்வி எப்படியிருந்தாலும், பல விதமான கலப்படங்கள் ஏற்படுகின்றன. எந்த எந்த விதமான கலப்படம் என்பது பற்றிய விவரம் என்னிடம் இல்லை.

[18th February 1961]

SRI V. K. KOTHANDARAMAN : வெள்ளை உப்பை உரத்தோடு சேர்த்து திருச்சி ஜில்லாவிலுள்ள அரியலூரில் விற்பதாக அரசாங்கத்தின் கவனத்திற்குக் கொண்டுவரப்பட்டிருக்கிறது. அதுபோல் பல ஜில்லாக்களிலும் விற்பனை செய்ததாக அரசாங்கத்தின் கவனத்திற்குக் கொண்டுவரப்பட்டிருக்கிறது. ஆனால், இப்பொழுது இருக்கும் சட்டப்படி, நீதிபதிகள் மேலே பழியைப் போட்டு, 'இப்படித் தீர்ப்புக் கொடுத்துவிடுகிறார்கள்' என்று சொல்லிவிட்டால் போதாது. இருக்கும் சட்டப்படிதான் அவர்கள் குறைந்த தண்டனையாக, ஐந்து ரூபாய், பத்து ரூபாய் என்று போடுகிறார்கள். ஆயிரக்கணக்கான அபராதம் போட்டால் கூட சம்பந்தப்பட்டவர்கள் கொடுக்கத் தயாராயிருக்கிறார்கள். ஏனென்றால், அவர்கள் பத்தாயிரக் கணக்காக கள்ள மார்க் கெட்டிலே விற்று லாபம் அடையக்கூடிய காரணத்தால்.

MR. SPEAKER : கனம் அங்கத்தினர் அவர்கள் பிரசங்கம் செய்யக்கூடாது. கேள்வியை மட்டும் கேட்க வேண்டும்.

SRI V. K. KOTHANDARAMAN : தண்டனை விதிக்கக்கூடிய அளவுபற்றி ஒரு விதி இருக்கவேண்டும். இதற்கு உடனடியாக கவனம் செலுத்த வேண்டும்.

THE HON. SRI M. BHAKTAVATSALAM : நீதிபதிகள் மீது நான் குற்றம் சாட்டுவதாகக் கனம் அங்கத்தினர் சொல்வது முற்றிலும் தவறானது. நான் அப்படியொன்றும் சொல்லவில்லை. தண்டனை கொடுப்பது பற்றித்தான் சட்டத்தில் இருக்கிறது. தண்டனை இவ்வளவுதான் கொடுக்கவேண்டும், என்று 'மாக்ஸிமம்' சாதாரணமாகப் போடுவதில்லை. 'மினிமம்' தான் போடுவது உண்டு நீதிபதி சில பேருக்கு அபராதம் போடுகிறார். சில பேருக்குச் சிறை தண்டனை கொடுக்கிறார். அபராதம் கட்டாவிட்டால் சிறை தண்டனை என்று போடுகிறார். நமக்குத் தோன்றுகிறபடியே சட்டம் செய்வது அவ்வளவு முறையாக இருக்காது.

Murder

* 378 Q.—**SRI S. PAKKIRISAMI PILLAI :** Will the Hon. the Minister for Home be pleased to state the result of Police investigation in regard to the murder of one Jayalakshmi, on 23rd August 1959 in Irulancheri village, Perambakkam post, Tiruvallur taluk?

THE HON. SRI M. BHAKTAVATSALAM : The case was treated as undetectable.

SRI S. PAKKIRISAMI PILLAI : அந்தப் பெண்ணின் கணவனே கொலை செய்தான் என்ற புகார் இருந்தும் காணப்படும் நபரை விசாரியாமல் விட்டுவிட்டதற்குக் காரணம் என்ன?

THE HON. SRI M. BHAKTAVATSALAM : இதிலே பரிசீலனை செய்யப்பட்டபோது கிடைத்த சாட்சியங்களை வைத்துக்கொண்டு பப்ளிக் ப்ராசிக்யூட்டர் அபிப்பிராயம் கோரப்பட்டது. டாக்டர்

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சர்டிபிகேட் போதுமான சாட்சியம் அளிப்பதாக இல்லை. இருக்கக் கூடிய சாட்சியங்களை வைத்துக்கொண்டு ப்ராசிக்யூட் பண்ணுவதில் பயன் இல்லையென்று அவர் சொல்லிவிட்டார்.

Women workers

* 379 Q.—SRI N. K. PALANISAMI: Will the Hon. the Minister for Industries be pleased to state—

(a) the steps taken by the Government to prevent the retrenchment of women-workers from the textile mills in Coimbatore due to the introduction of cone winding in the mills; and

(b) if so, the details thereof?

THE HON. SRI R. VENKATARAMAN: (a) & (b) The question of displacement of women-workers in textile mills in Coimbatore district due to the introduction of cone winding machines was discussed at a meeting of the State Labour Advisory Board (which is a tripartite one) held on 27th August 1960. The Board recommended that a conference of employers and trade unions might be convened during September to arrive at a solution of this problem and that in the meanwhile the mill owners in Coimbatore area might be advised to avoid retrenchment of women-workers. The Commissioner of Labour has accordingly requested the Chairman, Southern India Millowners' Association, to advise members (mills) to keep in abeyance any proposals for retrenchment of women labour pending consideration of the whole question by the Government. A conference of mill managements and trade unions was also convened by the Commissioner of Labour during October 1960, to explore the possibility of arriving at a solution of the problem. At the above conference, it was decided that a committee consisting of both the managements and labour should be formed to go into the implications and all aspects of the question in full and suggest ways and means to solve the problem.

The Government approved the above recommendations of the conference and authorized the Commissioner of Labour to take action accordingly. The report of the Commissioner of Labour on the action taken is awaited.

SRI N. K. PALANISAMI: ஸார், இந்தப் புதிய ஏற்பாட்டினால் நாற்பது பேர் வேலை செய்த இடத்தில் பத்துப் பேர்களுக்குத்தான் வேலை இருக்கிறது. பாக்கியுள்ள 30 பேர்கள் வேலை இழக்கவேண்டியிருக்கிறது. முக்கூட்டுக் கமிட்டியிலும் சரி, தொழிலாளர்களோடு, முதலாளிகளோடு நடத்திய பேச்சுவார்த்தையிலும் ஆடமாடிக் லாம்ஸ் கொண்டு வருவதனால் ஏற்கனவே வேலையில் இருக்கிறவர்களுக்கு எவ்வித பாதகமும் ஏற்படாத வகையில் பாதுகாப்பு கொடுக்கவேண்டுமென்று சொல்லப்பட்டிருக்கிறது. இதற்கு விரோதமாக நடந்து கொண்டவர்களமீது நடவடிக்கை எடுக்க குறிப்பாக கண்ணிரான் மில்லில் கோயம்பத்தூரில்

MR. SPEAKER: The hon. Member should not mention the name of an individual mill. If he does it, I will not allow him to proceed further.

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SRI N. K. PALANISAMI : இந்தமாதிரி மில்கனில் வேலையை விட்டு ஆட்களை நீக்கக்கூடாது என்று தடைசெய்ய சர்க்கார் என்ன நடவடிக்கை எடுத்துக்கொள்ளப் போகிறார்கள் ?

THE HON. SRI R. VENKATARAMAN : நான் நீண்ட பதில் சொன்னதற்குக் காரணமே என்ன என்ன நடவடிக்கை எடுத்துக் கொண்டிருக்கிறோம் என்று சொல்வதற்காகத்தான். இரண்டு மகாநாடுகள் நடத்தப்பட்டிருக்கிறது. முதலாளிகளும், தொழிலாளர்களும் இதுபற்றி பேச்சு வார்த்தைகள் நடத்திக் கொண்டிருக்கிறார்கள். ஆகவேதான் இதுசம்பந்தமாக புதிதாக எந்த நடவடிக்கையும் எடுப்பதற்கில்லை. தனிப்பட்ட இடத்தில் ஏதாவது குறை ஏற்படுமானால் கன்சிலியேஷன் ஆபீசர், லேபர் கமிஷனர் மூலமாக நடவடிக்கை எடுத்துக்கொள்ளலாம்.

SRIMATHI RAJATHI KUNCHITHAPATHAM : தலைவர் அவர்களே, பெண்களை வேலைக்கு எடுத்துக்கொண்டு பின் தள்ளி விடுவதைப் பற்றிக் கேட்கிறார்கள். ஆனால் திருநெல்வேலியில் உள்ள கூட்டுறவு ஆலையில் பெண்களையே வேலைக்கு எடுத்துக்கொள்வதில்லை என்று சொல்கிறார்களே. இது நியாயம்தானா? இந்தக் குறையை நிவர்த்திக்க சர்க்கார் என்ன நடவடிக்கை எடுத்துக் கொள்ளப்போகிறார்கள் ?

THE HON. SRI R. VENKATARAMAN : இதில் சர்க்கார் பொறுப்பு இல்லை. மில்லை நடத்துகிறவர்கள் யாரை வேலைக்கு வைத்துக்கொள்ளவேண்டும் என்று விரும்புகிறார்களோ அவர்களை வேலைக்கு வைத்துக்கொள்ளலாம்.

SRI J. MATHA GOWDER : இதனால் எத்தனை பெண் தொழிலாளர்கள் வேலை இழந்திருக்கிறார்கள்? அவர்களுக்கு ஏதாவது சர்க்கார் மாற்று வேலை தேடித் தந்திருக்கிறதா? அவர்களுக்கு வேலை வாய்ப்பை உண்டு பண்ணிக் கொடுப்பதற்கு சர்க்கார் எடுத்துக்கொண்ட முயற்சிகள் என்ன?

THE HON. SRI R. VENKATARAMAN : இதுவரையில் வேலை இழந்தவர்கள் என்று கிடைத்திருக்கும் புள்ளிவிவரம் மிகக் குறைவு. நூறு அல்லது இருநூறுக்கு மேல் இல்லை. அவர்களுக்கு ரீலிந்தான் தெரியும். பொதுவாக அதுவே வேண்டாம் என்கிற போது அவர்களுக்கு வேறு வேலை வாய்ப்பு இல்லை.

SRIMATHI A. S. PONNAMMAL : அமைச்சர் அவர்கள் பெண் தொழிலாளர்களைச் சேர்த்துக் கொள்ளவேண்டும் என்று மில் முதலாளிகளை வற்புறுத்துவதற்கில்லை என்றார்கள். இதில் தனிப்பட்டவர்களுடைய இஷ்டத்திற்கு விடுவதற்குப் பதிலாக நூற்றுக்கு இத்தனை பேர் பெண் தொழிலாளர்கள் இருக்க வேண்டும் என்று திட்டமாக உத்தரவு போட முடியாதா?

THE HON. SRI R. VENKATARAMAN : பெண்களை ஒரு தொழிலை ஆரம்பித்து அங்கே ஆண்களையே வேலைக்கு வைத்துக் கொள்ளக்கூடாது என்று சொன்னாலும்கூட சர்க்கார் தலையிடாது.

18th February 1961] [Sri R. Venkataraman]

(சிரிப்பு). இது சட்டப் பிரச்சனை. ஆனால் பெண்களுக்கு வேலை தேடித் தரவேண்டும் என்பதற்காகத்தான் சர்க்கார் இதர வழிகளில் உதவி செய்து வருகிறது.

SRI V. K. KOTHANDARAMAN : ஆண் தொழிலாளர்களைவிட பெண் தொழிலாளர்களுக்கு மெட்ரீனரி பெனிபிட் போன்ற பல அதிக சலுகைகள் கொடுக்கவேண்டியிருக்கிறது. அதனால்தான் பெண் தொழிலாளர்களை நீக்கிவிட்டு அங்கே ஆண் தொழிலாளர்களை நியமித்திருக்கிறார்கள் என்பது சர்க்காருக்குத் தெரியுமா? இம்மாதிரி செய்யக்கூடாது. திரும்பவும் வேலைக்கு வைத்துக்கொள்வது என்றால் பெண் தொழிலாளர்களையே தான் வைத்துக்கொள்ளவேண்டுமென்று உத்தரவு பிறப்பிப்பார்களா?

THE HON. SRI R. VENKATARAMAN : கனம் அங்கத்தினருக்கு இது சம்பந்தமான விதிகள் எல்லாம் தெரியும் என்று நினைக்கிறேன். வேலையில் இருந்து நீக்கிவிட்டு உடனே வேறு தொழிலாளர்களை அங்கே நியமிக்க முடியாது. ரிட்டெஞ்ச்மெண்ட் என்று ஆட்களை நீக்கிவிட்டு, வேறு ஆட்களை நியமிப்பது என்றால் சட்டப் படி நடவடிக்கை எடுத்துக்கொள்ளலாம். அம்மாதிரி வைக்கிறார்கள் என்று சொல்வது தவறு. விஷயம் தெரியாமல் சொல்லி விட்டார்கள் என்று நினைக்கிறேன். ஒரு டிபார்ட்மெண்டையே மூடுவதனால் அங்கு வேலை செய்து வந்த அத்தனை பேர்களுக்கும் வேலை போகிறது. அவ்வளவுதான்.

SRI S. PAKKIRISAMI PILLAI : ஆள் குறைப்புத் திட்டத்தில் 'Last come should go first' என்கிறபடி அங்கிருந்து பெண் தொழிலாளர்களை நீக்கிவிட்டால், அந்தப் பகுதியில் மீண்டும் புதிதாக வேலைக்கு ஆள் எடுக்கும்போது இவர்களுக்குத்தான் முதல் சலுகை கொடுக்கவேண்டும் என்று உத்தரவு போட முடியுமா?

THE HON. SRI R. VENKATARAMAN : இதுதான் இப்போது இருக்கிற அரசாங்கத்தின் உத்தரவு. கனம் அங்கத்தினர் நிலைமையைச் சரியாகப் புரிந்துகொள்ளவேண்டும். ஒரு பகுதி முழுவதையும் எடுத்துவிடும்போது ரீலிங் பகுதியில் வேலை செய்கிறவர்களுக்கு வேலை போகிறது. இது சாதாரண ரிட்டெஞ்ச்மெண்ட் போன்றது அல்ல. மற்றதற்கும் இதற்கும் உள்ள வித்தியாசம் தெரிந்துகொள்ளவேண்டும். இந்த வேலை செய்தவர்களுக்கு வேறு வேலையும் தெரியாது.

SRI N. K. PALANISAMI : முதலாளிகளும், சர்க்காரும் பேச்சுவார்த்தை நடத்திக் கொண்டிருக்கிறபோது ஆட்களை வேலையைவிட்டு நீக்கக்கூடாது என்று உத்தரவு போடுவார்களா?

THE HON. SRI R. VENKATARAMAN : இதில் சர்க்கார் உத்தரவு போட முடியாது. சிபார்சு செய்திருக்கிறது.

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MR. SPEAKER : கேள்வி 380-ஐ 22-ந் தேதி எடுத்துக்கொள்கிறேன். அந்தக் கேள்வியை நோட்டீஸ் கொடுத்துள்ள கனம் அங்கத்தினர் ராமசாமி கல்கத்தாவில் இருப்பதனால் பின்னால் அதை எடுத்துக்கொள்ளவேண்டுமென்று எனக்குக் கடிதம் எழுதியுள்ளார். நானும் அனுமதி அளித்திருக்கிறேன். ஆகவே, இப்போது கேள்வி 381-ஐ எடுத்துக்கொள்வோம்.

Milk

* 381 Q.—**SRI A. A. RASHEED :** Will the Hon. the Minister for Home be pleased to state—

(a) whether Government are aware of the scarcity of fresh milk in the City; and

(b) if so, the steps taken to provide more milk?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir.

(b) The answer ^a is placed on the table of the House.

SRI A. A. RASHEED : Is the Hon. Minister aware that fresh milk has become a luxury in the City of Madras and that it is beyond the reach of the common man and if so, will the Government take steps to transport fresh milk from the neighbouring districts to the Madras City?

THE HON. SRI M. BHAKTAVATSALAM : I am quite well aware that there is shortage of milk in the City and the Government have been taking every step, possible and practicable, to increase the supply of milk.

SRIMATHI T. N. ANANDANAYAKI : நகரசபைப் பிரதேசத்தில் நல்ல பால் கிடைப்பதற்காக மாதவரத்தில் பால்பண்ணை ஆரம்பித்தார்களா? அதில் எத்தனை மாட்டுக்காரர்கள் சேர்ந்திருக்கிறார்கள்? அங்கே போய்ச் சேரக்கூடாது என்று எதிர்க்கட்சிக் காரர்கள் பிரசாரம் செய்து வருவது கனம் அமைச்சர் அவர்களுக்குத் தெரியுமா? அதைத் தடுக்க என்ன நடவடிக்கை எடுத்துக்கொண்டிருக்கிறார்கள்?

THE HON. SRI M. BHAKTAVATSALAM : எத்தனைபேர் சேர்ந்திருக்கிறார்கள் என்பதற்கு சேன்ற கூட்டத்தில் விவரம் கொடுத்தேன். இப்போது அந்த விவரம் என்னிடத்தில் இல்லை. அங்கே போய்ச் சேரக்கூடாது என்று எதிர்க்கட்சிகள் பிரசாரம் செய்வதாக அரசாங்கத்திற்கு ஒன்றும் தகவல் இல்லை.

Leprosy

* 382 Q.—**SRI M. K. SOMASUNDARAM** (on behalf of **SRI K. SATTANATHA KARAYALAR :** Will the Hon. the Minister for Revenue be pleased to state the nature of assistance given to the Leprosy Teaching and Research Institute, 14 'அனாதியுடு' our State?

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THE HON. SRI M. A. MANICKAVELU : The State Government pay an annual grant to the Institute equal to the actual maintenance charges of the Lady Willingdon Leprosy Sanatorium, Tirumani, and the Silver Jubilee Children's Clinic, Saidapet, or Rs. 3 lakhs whichever is less.

SRI M. S. SELVARAJAN : செங்கல்பட்டிலுள்ள தொழு நோய் ஆஸ்பத்திரியில் சிகிச்சைப் பெற்ற பிறகு அவர்களுக்கு புனர்வாழ்வு அளிக்கக்கூடிய திட்டம் ஏதாவது அரசாங்கத்தின் பரிசீலனையில் இருக்கிறதா? அவ்வாறு எத்தனை திட்டங்கள் பரிசீலனையில் இருக்கிறது? 11-00 a.m.

THE HON. SRI M. A. MANICKAVELU : ஹாபிலேடேஷன் சென்டர் என்று ட்யூபர்குலோஸிஸ் ஆஸ்பத்திரியில் இருக்கிறது. அம்மாதிரி ஒவ்வொன்றிற்கும் இருக்கிறதா என்று நிச்சயமாக சொல்லமுடியாது.

Agricultural Stores

* 383 Q.—**SRI M. P. SARATHI :** கனம் உள்விவகார அமைச்சர் அவர்கள் தயவுசெய்து கீழ்க்கண்ட கேள்விகளுக்குப் பதிலளிப்பாரா—

(அ) விவசாய இலாகாவில் கருவிகள், பொருள்கள் பற்றிய தணிக்கை (Agricultural Stores Audit) அந்த இலாகா அதிகாரிகளினால் செய்யப்படுகிறதா?

(இ) இல்லையானால் நிதி இலாகா அதிகாரிகள் அல்லது அக்கவுண்டன்டு-ஜெனரலினால் தணிக்கை செய்யப்படுகின்றதா?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir.

(b) Audits are also conducted by the Accountant-General, Madras, and by the Officers of the Local Fund Audit Department.

MR. SPEAKER : Questions are over.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—ANNOUNCEMENTS

(1) ISSUE OF WARRANT OF ARREST AND DETENTION AGAINST A MEMBER.

MR. SPEAKER : May I invite the attention of the House to Rules 245, 246 and 247 of the Madras Legislative Assembly Rules. Rule 245 reads as follows :—

“ When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the

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arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the member in the appropriate forms prescribed by the Speaker."

Rule 246 reads as follows :—

"When a member is arrested and after conviction released on bail pending an appeal or otherwise released, such fact shall also be intimated to the Speaker by the authority concerned in the appropriate form prescribed by the Speaker."

Rule 247 reads as follows :—

"As soon as may be, the Speaker shall, after he has received a communication referred to in rule 245 or rule 246 read it out in the House if in session, or if the House is not in session, direct that it may be published in the information sheet for the information of the members."

According to the rule, I have received a letter from the First Assistant Registrar, Original Side, High Court, Madras which reads as follows :—

"Dear Mr. Speaker,

I have the honour to inform you that Sri M. Kalyanasundaram, Member of the Madras Legislative Assembly, was tried by the High Court of Judicature at Madras on a charge of contempt of this Court under section 5 of the Contempt of Courts Act XXXII of 1952 and under Article 215 of the Constitution of India.

On 10th February 1961 by an order of this Court in Contempt Application No. 8 of 1960 the said Sri M. Kalayanasundaram was found guilty of contempt of this Court and sentenced by this Court to pay a fine of Rs. 100 (rupees one hundred) and in default of payment of the said fine, to undergo simple imprisonment for a period of six weeks. As the said fine amount has not yet been paid, the warrant of arrest and detention has been issued by this Court on 14th February 1961."

III.—CALLING ATTENTION TO THE INADEQUATE SUPPLY OF CHEMICAL FERTILIZERS IN THE TIRUNELVELI DISTRICT.

SRI M. S. SELVARAJAN : Under rule 41 of the Assembly Rules I wish to bring to the notice of this revered House a matter of urgent public importance, viz., the inadequate and belated supply of chemical fertilizers to the agriculturists of Tirunelveli district and malpractices in the issue of permits which require investigation. I would request the Hon. Minister to make a statement.

* THE HON. SRI M. BHAKTAVATSALAM : Sir, I would like to make the following statement :—

The allotments of nitrogenous fertilizers are made by the Government of India under the Central Pool arrangements. As the indigenous production of fertilizers in this country is inadequate

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to meet the demand, imports are being made by the Government of India. But, in view of the present difficult foreign exchange position the centre is not able to meet the full requirements of this State. The allocations made by Government of India are about 50 per cent of our demand. Out of the quantity made available to this State, roughly 25 per cent is set apart for distribution to the manure mixing firms for use in the preparation of manure mixtures and the balance is being distributed to each district on a rational basis according to its needs and also availability of stocks. The stock and supply position as indicated by the fortnightly returns received from the district stockholders is reviewed by the Board of Revenue (Food Production) and despatch instructions to the districts are issued with a view to ensure adequate supplies to the needy areas.

The potential demand of fertilizers for the various crops in Tirunelveli district is 26,357 tons of Ammonium Sulphate per year; the annual average consumption in the three years 1957-60 in the district was 12,586 tons in terms of Ammonium Sulphate. The quantity of 109,450 tons allocated by the Government of India to this State so far during 1960-61 was distributed to the manure-mixing firms and the various districts as best as could be done and a quantity of 7,075 tons in terms of Ammonium Sulphate was thus supplied to the district and this supply worked out favourably in comparison with the supplies made to other districts. In view of the limited stocks, restrictions in distribution were inevitable. The Collector of the district had discussions with the District Agricultural Officers as to how best the available stocks could be distributed. It was decided by the Collector that the release of fertilizers should be confined to paddy crop alone and should be only against cash or loan permits. With a view to see that the requirements of the large number of smaller ryots are met to the extent possible, the maximum quantity of fertilizers that should be released per acre and the maximum quantity per individual ryot were fixed as follows :—

Name of Fertilizer.	Maximum per acre.	Maximum per ryot.
1 Ammonium Sulphate or Ammonium Sulphate Nitrate. Calcium Ammonium Nitrate.	20 Kilos (44 lb.)	200 Kilos (2 bags)
2 Urea (containing double nitrogen content of Ammonium Sulphate).	10 Kilos (22 lb.)	100 Kilos (1 bag)

In reckoning the extent of each individual, only registered wet land or dry land regularly included in the ayacut of any particular irrigation source held by the individual was to be taken into consideration. Hence the karnams were required to certify and furnish clear information on this point in the application for permits from ryots. A detailed programme for the release of stocks was drawn up by the Collector in consultation with the District Agricultural Officers, taking into account the area under paddy, Block and non-Blockwise, the crop-pattern and the period for the application of fertilizers in the different areas with reference to

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local conditions. The dates for the releases were also decided in consultation with the District Agricultural Officers. The programme was adhered to and the position was reviewed at frequent intervals taking into consideration further arrivals of stocks. Priority was given to the assured water supply areas of the district and releases for each area were strictly based on the requirements of extent of the registered wet lands comprised in the area at 20 kilos per acre. Detailed instructions were issued by the Collector to all the subordinate officers on the basis for the distribution and the need for the prompt issue of permits for cash and loans. The subordinate officers were directed to camp at convenient centres in each area and to issue permits on the spot, after notifying the dates in advance. They were also instructed to keep in personal touch with the movement of stocks to the several distribution depots and their proper issue against permits issued by competent authority. The Collector was able to equitably distribute 20 kilos or 44 lb. per acre with the limited stock thereby ensuring supplies to all alike, leaving little room for malpractices. A certain amount of inconvenience and, possibly delay in some cases, might have been caused to the ryots in obtaining stocks under the permit system, but it is unavoidable considering the fact that the system serves the larger interests of the ryots in assuring equitable distribution of the available stocks.

The real difficulty was the meagre stock position. But this difficulty is being experienced throughout the State and it is not peculiar to any one district or area. Even with the inadequate allocations made to this State, every effort is being made to see that the minimum needs of all districts are met proportionately without any discrimination whatsoever consistent with the acreage, actual needs of the ryots and the stock position.

MR. SPEAKER: I am hearing a hum from somewhere in the House. I do not know from where it is coming. I was not able to follow the Hon. Minister's speech. May I request, wherever that hum comes from, that it should stop so that we can follow the proceedings.

IV.—GOVERNMENT BILL.

THE MADRAS STATE HOUSING BOARD BILL, 1961 (L.A. BILL NO. 31 OF 1960).

THE HON. SRI R. VENKATARAMAN: Sir, I move that the Madras State Housing Bill, 1961 (L.A. Bill No. 31 of 1960) as amended by the Select Committee^a, be taken into consideration.

As the Hon. Members are aware, the need for the provision of housing accommodation for the public, and the planned expansion of villages, towns and cities, have assumed national importance. The Central and the State Governments have, therefore, undertaken a large measure of responsibility for financing housing and

^a Printed as Appendix IV on pages 90-151 infra.

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IV.—GOVERNMENT BILL.

THE MADRAS STATE HOUSING BOARD BILL, 1961 (L.A. BILL NO. 31 OF 1960).

THE HON. SRI R. VENKATARAMAN: Sir, I move that the Madras State Housing Bill, 1961 (L.A. Bill No. 31 of 1960) as amended by the Select Committee^a, be taken into consideration.

As the Hon. Members are aware, the need for the provision of housing accommodation for the public, and the planned expansion of villages, towns and cities, have assumed national importance. The Central and the State Governments have, therefore, undertaken a large measure of responsibility for financing housing and

^a Printed as Appendix IV on pages 90-151 infra.

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improvement schemes in recent years. The Government of India have initiated a national housing programme, and have formulated various housing schemes, affording financial assistance to the State Governments, in the shape of loans and subsidies. In our State, the State Government also are financing housing schemes. During the Second Plan period, the total outlay on housing in the State was of the order of Rs. 5 crores. The Housing Ministers' Conferences and the Special Committees set up by the Union Government repeatedly stressed the imperative need for the creation of a single statutory body which could be vested with the responsibility for the formulation and execution of housing and improvement schemes, and through which all the financial assistance by the State and the Central Governments, Life Insurance Corporation, etc., could be channelised. The State and Central Governments also felt that the creation of such a body was essential to formulate housing projects, launch land development projects, undertake construction and management of housing estates and generally ensure satisfactory progress of housing schemes, and also, to borrow and lend money required for the execution of housing schemes.

As a first step in this direction, the Government set up a non-statutory State Housing Board with the heads of departments concerned as members. This Board is functioning from May 1958. The main function of this Board is to co-ordinate, regulate and expedite the planning and implementation of the various housing schemes in the State. But necessary powers could not be delegated to this body for the effective implementation of the various housing schemes, as this body has no statutory basis.

The Board of Trustees for the improvement of the City of Madras constituted under the Madras City Improvement Trust Act, 1950, is in-charge of housing, land development and general improvement of the city. Under that Act, every project proposed by the Board has to come up to the Government for sanction before it can be executed. Even otherwise, the powers of the Board are limited, and the formulation and implementation of projects cannot be done effectively and expeditiously by it. Further, this Board cannot be entrusted with the execution of other housing projects of the Government not framed in accordance with the provisions of that Act.

It is, therefore, considered that if a statutory authority having State-wide jurisdiction is constituted, the execution of the housing projects of the Government can also be entrusted to such authority. It is also felt that the Government can require such authority to undertake the task of clearance or improvement of any slum area by assigning to it any land in the slum area belonging to the Government or acquired under the Madras Slum Improvement (Acquisition of Land) Act, 1954.

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In the circumstances, it has become very necessary to enact legislation providing for the constitution of a State Housing Board, which will have jurisdiction throughout the State, and will be in charge of execution of housing and improvement schemes. The State Housing Board Bill has been drafted with the above object in view. The Bill seeks to repeal the Madras City Improvement Trust Act, 1950, and to vest in the proposed State Housing Board all the assets and liabilities of the Board of Trustees constituted under this Act.

The Bill was introduced in this House on the 22nd of August 1960. A Select Committee consisting of 16 Members of the House considered the Bill. Seven members of the Legislative Council were also invited to associate with the Select Committee.

The Select Committee scrutinized the Bill thoroughly and has made several changes. The Select Committee's report together with the Bill as amended by the Select Committee was presented to the House on the 30th January 1961. I shall refer to a few of the more important changes made by the Committee.

Under Clause 21, the Board shall establish a housing unit for the City of Madras. The Committee decided that the area of operation of the Madras Housing Unit should extend to places situated within 25 miles of the limits of the city. The Board may with the approval of the Government establish housing units for other areas also.

Clause 22 relating to control and delegation by the Chairman, provide that the Chairman shall not delegate his powers to make appointments to posts the maximum monthly salary of which exceeds Rs. 250. The Committee decided that the delegation should not be made in respect of posts the maximum monthly salary of which exceeded Rs. 100.

In Clause 35, the Committee has added a new sub-clause to the effect that the Board may, on such terms and conditions as may be agreed upon, take over for execution any housing or improvement scheme undertaken by a local authority.

Clause 51 has been amended providing for the filing of objections to the schemes within 30 days from the service of the notice.

The original clause 54 dealing with the publication of sanction of housing or improvement schemes did not provide for an appeal by persons aggrieved by the decision of the Board. A new sub-clause has been added to the effect that persons aggrieved by the decision of the Board sanctioning such scheme may appeal to the Government within 30 days from the date of sanction of the scheme.

Clause 66 has been amended to enable the Board to manufacture and sell building materials.

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Clause 82 has been amended to make it specific that the award of the Tribunal shall be final, and shall not be liable to be called in question in any court of law.

The Select Committee decided that clause 91, which deals with the power of the Board to borrow, may be amended to enable the Board to enter into financial arrangements with banks or financial institutions like the Life Insurance Corporation. It was also decided that provision should be made for the lending of money by the Board.

A new clause 134 has been inserted prescribing the duties of Police officers in relation to the Board's work.

The Bill is a non-controversial piece of legislation, and is very necessary for the proper regulation and co-ordination of all housing activities in the State.

I move that the Bill, as amended by the Select Committee, be taken into consideration.

MR. SPEAKER: Motion moved:—

‘That the Madras State Housing Board Bill, 1961, (L.A. Bill No. 31 of 1960) as amended by the Select Committee be taken into consideration.’

* SRI R. SRINIVASA IYER: Sir, this Bill is a very important one and the Select Committee has conducted its deliberations and given us a report in January 1961. As the Bill went before the Select Committee, full opportunities were not taken by all the hon. Members to discuss the same and I request you to permit me to say a few words on this Bill, though it may not be absolutely in consonance with the report of the Select Committee.

Sir, the City Improvement Trust Act is sought to be repealed by this Bill. As it is, for all these years, the City Improvement Trust has done very good work in the City. Recently, constructions made by the City Improvement Trust are extremely costly because of the cost of building materials having gone up, labour having gone up, value of the lands having gone up and due to the non-availability of building materials.

The question whether the State Housing Board should supersede the City Improvement Trust is a very important one. Was it not enough to constitute the Housing Board excluding the City of Madras over which the City Improvement Trust has got jurisdiction? This Housing Board is to be constituted with very large powers. The Chairman of the Board is given very large powers, especially with regard to spending, appointment and directing the functions of the Board.

With reference to such a Bill containing 162 sections, I was representing to this House that it would be better that we have got a list of contents at the beginning. This has not been followed

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in spite of the fact that a preparation of list of contents would be very useful to know which section relates to which matter. Apart from this lacuna, in every bill at least containing large number of sections, I would like that the preamble of this Bill is better worded with the details of the objects of the Bill. Because the statement made by the Hon. Minister with reference to the necessity for the Bill is not found there. I would like a comparison of the preamble to the Panchayat Act. It is very good and it has been drafted very carefully. I would very much like that the necessity for providing housing accommodation to the increasing population of the State is particularly introduced in the preamble.

Now, this Bill provides also for setting up a machinery for manufacturing and selling building materials. With the improvement in the situation of especially iron, steel and cement, because we are setting up another cement factory for the purpose and with the availability of cement in large quantities I believe at least hereafter this Housing Board will be able to hasten construction and preparation, formulation and notification of schemes of housing, housing improvements and other improvement schemes referred to and that the Board would execute them with great speed. In this connection I would request permission to make an important suggestion with reference to Chapter VIII of this Bill which provides that the Land Acquisition Act shall govern the acquisition of lands by the Housing Board. Sir, we have known that the application of the Land Acquisition Act for acquisition of land for house building purposes entails a lot of delay and there are a number of authorities through whom these proposals have to go, and the delay in each office is considerable. Sir, the population of the State is increasing by 1.6 per cent per year. At least we must provide additional housing accommodation at one per cent of the houses, at least. Because taking into consideration the large number of slums that are cropping up overnight not only in the City of Madras, but in other towns in the State also, and seeing the want of housing accommodation and house rent rates, it is proper that the Government should take into its fold provision of housing accommodation very quickly, not only housing accommodation and construction of houses, but provision for acquisition of land and allotting of house-sites to the needy people who are ready to pay for their house-sites and build their own houses. In acquiring lands under the Land Acquisition Act, first a notification has got to be published under section 4 of the Act and a number of months would elapse before action is taken; objections have to be heard by the Deputy Collector, the Tahsildar and the Collector and then by the Board of Revenue and then by the Government. Then again after a declaration by the Government under section 6 (1) of the Act that it was for a public purpose, a regular routine has to be gone through for several years and all that entails delay and in the meantime there is increase in the value of the land to be acquired. I may say in this connection that in a particular case where the value was originally Rs. 75 a cent of land by the time it was

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acquired after going through all the above procedure, it went up to Rs. 350 per cent of land. That is a handicap for not only housing accommodation, but for providing house-sites also.

Sir, item 42 of the concurrent list in the Seventh Schedule of the Constitution mentions land acquisition and de-requisition. Therefore, it is proper that the Madras Government take steps to enact a legislation, amending or substituting the Land Acquisition Act, so that emergency provisions may be adopted even for cases of acquisition of land for providing house-sites for the population of the State.

So far as betterment levy is concerned, provision is made that the person who is liable to pay the fee need not pay the amount, but can enter into an agreement to pay 6 per cent interest, payable perhaps for all time, till there is a default in betterment fee instalment. But no first charge is created with reference to this fee, though it is collectable as arrears of Land Revenue. It will be better to create a first charge in respect of betterment fee, because the man gets the advantage of the Land Improvement Scheme by enhancement in the value and at the same time it should be kept unencumbered. Therefore, betterment fee should have a first charge.

Then from the reading of the provisions of this Bill, I find that the Housing Board will have overall authority over the whole State. What becomes of the several housing societies, co-operative societies, house construction societies and house building societies and other societies which lend money for the construction of houses? What is to become of such societies and how far the board will have overall control over them? Can this Board supersede them? That is not made clear in the Bill. I would like that a provision is clearly made that the existing co-operative building societies and those to be formed in future in particular localities in the State are excluded from the operation of this Bill.

With reference to land acquisition, I find a Tribunal is appointed by this Bill and the qualification of the single-man Tribunal is a Subordinate Judge. Under the Land Acquisition Act, with reference to compensation, court is defined under sections 31 and 40 of that Act. The Subordinate Judge or the District Court having jurisdiction over the territorial area where the land to be acquired is situate is the authority. But there is an appeal to the High Court and a further appeal. But in this Bill, the provision is made that the order of the single-man Tribunal who is none other than the Subordinate Judge, shall be final. I feel that it is better that an appeal is provided at least in respect of compensation; I do not want that in the case of betterment fee or of acquisition. Because when questions of compensation arise, the Subordinate Judge should not be the final authority. We are acquiring another man's property and if we do not make proper provisions, declaring principles of compensation as is provided for in the Constitution,

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then it may not be quite valid according to the Constitution, particularly when the Land Acquisition Act provides for an appeal with reference to compensation.

Then in clause 66 of this Bill—other duties of the Board—I find rather too indefinite duties and powers are vested in the Board. They may perhaps do anything they like. With reference to providing housing accommodation, bettering their condition, providing health and sanitation and so on, it is better that their powers are limited.

One other provision about which I want to say a few words, and that is in regard to provision for centage charges and supervision charges. Twelve and half per cent of the value of the scheme or building constructed is provided for. That seems to be rather very high. In co-operative building societies, they are charging only 3 or 4 per cent and even that is more than enough, when we engage a supervisor or an Assistant Engineer or even an Executive Engineer engaged as Consulting Engineer. Therefore, this provision of 12½ per cent is rather too much. Of course the Public Works Department charge 15 per cent in respect of sanitation and rural water works, but in those cases they engage the Engineer to carry on the work itself. Therefore, here this 12½ per cent seems to be rather too high.

(Sri M. Selvaraj in the Chair.)

11-30 a.m. In this connection, I would like to point out that a statutory body is more or less an official body, and out of 16 members including the Chairman, only four members are non-officials, and they are to be nominated by the Government. I would suggest that the Government should accept the principle that at least one-third of the members—I would like six members—are non-officials and the period of office of the members and the Chairman of the Board should be five years and not three years. It will take at least a year or two for formulating a scheme, giving notice, etc., and while the proceedings are going on before the Tribunal appointed under this Bill, the members and the Chairman will cease to function. Therefore, it is but proper that as in the Panchayats Act, we provide for five years for the life of the members or the Chairman.

It is of course a good provision that the Board is enabled to borrow and obtain loans from the public through debentures with the guarantees of the Government. The provision that such guarantees and the details relating to the amount paid for having given such guarantees should be placed before the Houses of the Legislature during the Budget session, is a good provision. But let us remember that this is a Board which is almost equal to the Electricity Board. It may be dealing with transactions worth crores of rupees and it is but proper that the activities of the Board are carefully watched by the Legislature on as many occasions as

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possible and not during the Budget session alone. We are discussing the Budget of the Electricity Board during the budget session or soon after it. It is but proper that provision should be made for the Budget of this Housing Board also to be placed before the Houses of the Legislature for discussion every year.

* SRI K. VINAYAKAM: Mr. Chairman, I welcome this Bill wholeheartedly. I had an opportunity to serve on the Select Committee which was appointed by this House to consider this Bill. Sir, it is a well-known fact that housing scarcity is felt very badly in the City of Madras as well as in other district headquarters. To own a house has become almost a luxury in the the metropolis. The ambition of a common man is just to own a house before he could retire from this world. Cities like Madras have been drawing rural population and with the influx of huge population from rural parts, living in rented houses has become almost an impossibility. An average wage-earner or an ordinary Government servant, in spite of drawing his salary, is not in a position to own a house even by the end of his retired life. So an organisation like the City Improvement Trust or the Corporation or the Board which could help the common man to own a house at least by the instalment system of paying towards the cost of houses is a thing which should be welcomed by anybody. But so far two or three agencies in the City of Madras have undertaken this work of constructing houses for the people who have no houses. For instance, the Corporation of Madras has been executing some schemes like Low Income Group Housing Scheme and Middle Income Group Housing Scheme for their workers as well as for outsiders. The City Improvement Trust has been doing a very good piece of work and that is because they enjoy an advantage over the Corporation which has got manifold activities. The City Improvement Trust has got to construct houses and houses only and they have turned out very good work as far as housing is concerned. As my hon. and learned Friend who spoke before me pointed out, the Board is similar to the Electricity Board which has removed all redtapism, departmental inactivity and the usual delays that occur in getting things through the department of the Government. The Board, at any rate, will be in a better position to turn out better work but if it is entrusted to a department it may not be of much use. For instance, Mr. Chairman, the clearance of slums in the City of Madras has been allotted to two agencies. The work of clearing slums north of the Cooum river has been given to the Corporation of Madras and the work of cleaning slums south of the Cooum river has been given to the City Improvement Trust. They both have been endeavouring to turn out good work but they have got their own handicaps, drawbacks and difficulties like people interfering with the clearance work. Then the people who are prepared to clear out, have got to be housed in a proper alternative place. All these things are involved but still so far as the Madras City is concerned, very good work has been turned out in the clearance of slums by the City Improvement Trust. Even in the allotment of

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houses, the agencies have got their own problems. For instance, I may bring it to the notice of the House that recently about 100 Low Income Group Houses were constructed by the Corporation with the financial assistance of the Central Government and the Madras Government. But the Corporation authorities are not in a position to allot these houses even though they have been constructed a year ago. A lot of politics has been brought in and allotments have not been made and houses are still vacant. When there is so much housing shortage in the City of Madras and when people hanker after houses, they are still made to wait in queue. For 100 houses 4,000 applications are lying there. The authorities do not take the responsibility of allotting these houses and they have entrusted this work to the elected representatives who have their own problems, with the result 100 houses still remain unoccupied by the people who are in need of these houses. These problems will not arise if there is a Housing Board. So far as the allotment is concerned, I believe the City Improvement Trust has no problem of this kind, and that the Trust considers each application on its merit and scrutinises it properly before allotting these houses. These difficulties will be totally removed if the Housing Board is constituted for this purpose only. As I have stated before this Board will have the entire work of constructing houses and allotting them for the needy. But other agencies like co-operative societies or house construction societies should not be superseded or overlooked. They should be allowed to do this kind of good work themselves. The Housing Board should not compete with such kind of private agencies. The Housing Board should be allowed a free choice of getting as much amount as possible from the Centre or from the State Government or even from the public.

My hon. and learned Friend also referred to supervisory charges. From the experience which I gained from the working of the City Improvement Trust, I am also of the same opinion that the supervisory charges collected by the Trust are a bit high. They may be in a position to justify, why they are collecting 12½ per cent, but from the view point of an allottee, it works hard. It is the allottee who has got to look after and maintain the house, pay property tax to the Corporation twice a year. At the same time if he is made to pay 12½ per cent over and above the cost involved in the construction of the building, it works hard as far as the allottee is concerned. I would like to bring to the notice of the Hon. Minister another factor which has been agitating the minds of the allottees as far as the City Improvement Trust is concerned. The allottees are given houses only when they are conveyed by the actual process of registration of the building in favour of the allottees. If the buildings are owned by co-operative societies, stamp charges need not be paid. The stamp charges work out to a huge amount when compared to the value of the property. They need not pay the stamp charges. The Co-operative House Construction Society has constructed a large number of houses in Gandhinagar and Kasthurbanagar. The allottees there need not

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pay conveyance charges. The plea is that they are governed by the Co-operative Societies Act according to which conveyance charges need not be paid. But under the City Improvement Trust allottee system and the Corporation of Madras allottee system, the allottee has been subjected to pay stamp duty. I now plead for more compassion on the part of Government. Government may say that they are in need of more revenues and that the stamp duty is a very good source of getting money for Government. That argument I am aware of. It is not as if I am blind to this. But the very object of this Board is defeated if we are going to be very harsh on the allottees. Our intention is to give them houses and make them pay the cost in instalments. Such being the case, to collect from them stamp duties also is wrong. Of course it may be said that it is spread over 20 years and it will be collected in small instalments. That is the argument which I can understand. Still the State Government can accord to for go that amount of revenue and keep the allottees free from paying stamp charges.

Regarding the constitution of the Housing Board, there is a clause in the Bill which states that all the existing employees of the City Improvement Trust will be taken in the Housing Board organisation. But it is very clear from this that only permanent employees of the City Improvement Trust will be absorbed. I understand there are a few offices attached to the City Improvement Trust which are not permanent and which are manned by retired officials. The services of the retired officials may be properly made use of. I leave it to the Government and the Hon. Minister in-charge of Housing may bestow a little attention on this subject and consider whether retired employees now serving in the City Improvement Trust could also be absorbed in the Housing Board organisation or their services utilised by the Housing Board to the extent possible.

On the whole I believe that when this Housing Board comes into being and puts several housing schemes into execution in the course of the coming five years, I hope the housing problem would be solved to a large extent, though not completely, in the City of Madras.

* SRI C. R. RAMASWAMI: Mr. Speaker, Sir, I wholeheartedly welcome this Bill. This Bill is long over-due and for the first time our Government have come forward with a comprehensive Bill, giving wider powers to deal with the problem of housing. The City Improvement Trust has been tackling this problem in a sort of way during the last ten years. I do not agree that they have tackled this problem in a very satisfactory way. There have been a lot of failures. Their approach to the whole problem has been different. They have been paying little or no attention to the ordinary man, the common man, the poor man whose representatives we are all supposed to be. The man who lives in the slum, the poor man who cannot afford to pay a rent of more than Rs. 25 per month, is not cared for at all. All the grandiose schemes of

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the City Improvement Trust have been for the middle and upper middle classes. For the poor man, they did make an attempt to build tenements in foreshore in San Thome. I was also partly instrumental to get the tenements there. To my surprise these tenements have been put up at a huge cost and the rents that are being fixed for the tenants are somewhat exorbitant. Very few of the people for whom the tenements were intended could afford to live in those tenements. For instance originally the City Improvement Trust fixed an amount of Rs. 25 for a tenant. None of the fishermen for whom the tenements were supposed to have been constructed could afford to pay that huge rent. Government came forward with a suggestion that they can pay a rent of Rs. 12 and live there; otherwise they cannot be allowed to remain there and the tenements would be given to others and the fishermen should have to go to some far-off place. The construction of these tenements with such huge rents goes to show the ignorance of the officials who did not estimate the income of these fishermen. They should have first assessed the income of these fishermen and then constructed the tenements in such a way that only a rent of rupees 10 or below could be levied. I have been very closely associated with a number of fishermen who live in this area. I know from personal knowledge that their income is never above Rs. 50 or Rs. 60 a month. When they go out to sea, they rarely get a good catch. That catch they bring to the shore with great difficulty and then they have to sell the catch. They have got only a small income. I have been President of the Fishermen Federation. I know their suffering, their hardship, their capacity and the low income they get. All these factors should have been taken into account before embarking on the construction of these tenements. The officials did not bother about all those things. They constructed the tenements at a huge cost without taking into account the income of the people who are supposed to live in those tenements. The officials threaten those people saying that if they did not pay the rent fixed, they would allot the tenements to somebody else. The officials' approach to the problem was wrong. Government have rightly taken into account the representations from those people living in the foreshore that something should be done to alleviate their sufferings. My request to Government is that they should aim at subsidising houses for these poor people. We should build single room tenements for these poor people with a rent of not more than Rs. 5 per month. It will be impossible for them to pay more than Rs. 5. We cannot expect an ordinary man who is unemployed and who is without a secure employment in a factory to pay a rent of more than Rs. 5 per month. The City Improvement Trust has failed to this extent in providing houses for the poor folk. The hon. Member Sri K. Vinayakam has referred to the fact that the City Improvement Trust has done a lot towards slum improvement. For my part I beg to differ from him. In my area there are 50 slums. The first slum is the 'Kuppam' in San Thome. Nothing has been done to improve that slum. Whenever I go there to see the poor people, they come

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to me and say: "What have you done all these **five** years to improve this slum? We are still living in hovels. What have the Government done?" My answer to them is just to blink and come away.

The slums that have sprung up in South Madras are due to apathy of the Corporation of Madras and the City Improvement Trust. If these two bodies had decided that the poor man have been provided with a house first, then things would have been different. But nobody really bothers about the poor people, for whom we are all supposed to speak. Employees of the Corporation of Madras, Government employees and last-grade Government servants are living in slums round about my area in what is known as Lakeside Bund.

Government have not provided quarters for all their employees. Corporation has not provided quarters for all their employees. Many other institutions who could afford to build for their employee have not done so. This slum problem should be tackled in an effective manner. Unless the housing problem is tackled effectively, this legislation may remain only as a piece of legislation on paper. Government are now alive to this problem, which is serious. They have now come forward with the right measure, with a comprehensive measure giving wider powers to the Housing Board in order to make it work effectively. The Board is official-ridden. It is to be composed of 12 officials, one Chairman and 4 non-officials. And all these four non-officials are going to be nominated by Government. We all know how the official mind works. San Thome is a glaring example of how the official mind works. Officials have the greatest contempt for the poor man. They refuse to allow a poor man to come to their room. They refuse to talk to him. That is their general approach so far as the poor classes are concerned. Official mind is working in that way. That has got to be checked. In the Housing Board to be constituted, the non-official element is low when compared to the official strength. You should have Consultative Councils in the place of an enlarged Housing Board. The Housing Board should be a compact body of five, of whom three should be non-officials. In the Consultative Councils, experienced officials like the Commissioner of Labour, Commissioner of Corporation of Madras, etc., should be there to advise the Board as to how best the buildings for the different classes of people should be constructed and how such building schemes should be executed. Such a compact body will definitely serve the purpose than having a seventeen member body with 12 officials, one Chairman and a handful of non-officials. My own feeling is that the strength of official element should be reduced. I think it would be possible for the Government to proceed on these lines.

My hon. friend Sri R. Srinivasa Iyer rightly referred to the future of Housing Building Co-operative Societies. They have been in some way or other responsible for the growth of colonies like

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Kasturba Nagar, Gandhi Nagar and Raja Annamalaipuram. The City Improvement Trust has however done some work, but the private construction has done it at a much lower price than the City Improvement Trust. I think we should encourage House Building Co-operative Societies and see that they function even for small people for the construction of houses up to Rs. 10,000. By this step, hardship caused to the middle classes and lower middle classes would be reduced to an appreciable extent.

The Bill is very silent about the slum improvement, as between the Corporation of Madras and the City Improvement Trust. As the hon. Member, Sri K. Venayakam pointed out, the City is divided into two areas, viz., one portion has been taken over by the Madras Corporation and another portion by the City Improvement Trust. I want to know whether the new Housing Board will take over the entire responsibility for the improvement to slums throughout the City. We should not leave it in a nebulous state but we should see that there is no overlapping. The Government should categorically and clearly enunciate the policy as to how the slums are going to be improved and how it should be done. These things should be made clear before the Bill is passed. There should not be any dual responsibility or dual control in regard to the improvement to slums.

There are some welcome features in the Bill, viz., street improvement scheme and things like that. I think it is really very necessary. The number of houses now existing in various areas like Mylapore, Triplicane, Georgetown, etc., the small houses in one row should be acquired and demolished and huge flats built up with a rental of Rs. 50 per mensem. The aim should be to provide flats with living accommodation at a reasonable price to the tenants. We should not build tenements at a huge cost, fix the rent on the basis of capital cost and then meet with insuperable difficulties. I feel that this street improvement scheme will improve matters. For instance, in Mylapore in Rottikara Theruvu, Thatchi Arunachala Asari Street there will be at least half-a-dozen families living in a small house one behind the other, more or less as an improved slum, paying a rent of Rs. 5, 10, 15 and 20 per mensem. If this scheme is taken up and then the buildings are demolished and huge flats are built at a monthly rental fixed at Rs. 15 to 25, it would help the lower middle class people, who are working in various Government offices, private establishments and so on. It would go a long way to help them, to get accommodation at a cheaper rent. Now-a-days living in Madras City is a very difficult problem. The Government will have to come forward to improve the lot of the poor people, especially lower middle classes. Unless this is done, we would not be really serving our purpose in running the Government. My humble submission is that we must do something to alleviate the sufferings of these people and we must provide them with houses at a reasonable rent.

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The Housing Board is expected to have complete control over the housing schemes of the entire State. I do not know whether the Housing Board will be able to discharge its functions effectively because the State is very wide. I do not know whether they would be able to discharge the functions so far as Madras City is concerned. They are going to take up Coimbatore, Madurai and Tiruchirappalli where slums are growing on a larger scale than in Madras City. This, I suggest that we should have Regional Consultative Councils and we should have local non-officials as Members of the Councils. The officials there should help and advise the Housing Board to give effect to all these schemes. With these few words, I wholeheartedly welcome this Bill. My criticism have been directed not out of any prejudice against the City Improvement Trust but with a view only to correct the bad impression that is gaining ground in Madras City that the City Improvement Trust exists only for richer classes and not for the poor men. I would like to dispel that doubt. When the new Housing Board comes into being, I hope it will exist for the benefit of poor men, common men who cannot afford to pay a rent of more than Rs. 50 per month.

SRI S. LAZAR : தலைவர் அவர்களே, வீட்டு வசதி மசோதாவைக் குறித்து எனது கருத்துக்களை சொல்ல விரும்புகிறேன். எந்த நோக்கத்தோடு இந்த மசோதா கொண்டு வரப்பட்டது என்பதை கனம் அமைச்சர் அவர்கள் விளக்கிச் சொன்னார்கள். முதலாவதாக, அவர்கள் கொண்டுள்ள நோக்கம் இந்த மாநிலத்திலே பலவித வீடு கட்டும் திட்டங்கள் இருக்கின்றன, அவைகளை இணைத்துக் கொண்டு வரவேண்டும் என்பதுதான். அதுதான் அவர்கள் குறிப்பிட்ட முக்கியமான ஒரு நோக்கம். இரண்டாவதாக, வீடுகள் கட்டுகிறபொழுதோ அல்லது ஏற்கனவே கட்டப்பட்டிருக்கிற வீடுகளைப் பொறுத்தவரைக்கும் நல்ல முறையிலே சுகாதார முறையிலே போக்குவரத்திற்கு இடைஞ்சல் இல்லாத முறையில் கட்டப்படவேண்டும் என்பதையும், நடைமுறைக்கு அந்த விதமான நிலைமையைக் கொண்டு வரவேண்டுமென்று சொன்னால், இது போன்ற ஒரு வீட்டு வசதிக் குழு அல்லது கழகம் தேவை என்றும் அவர்கள் குறிப்பிட்டார்கள். மூன்றாவதாக ஒரு நோக்கத்தை அவர்கள் குறிப்பிட்டது, இப்பொழுது வீடுகள் ஏராளமாக தேவைப்படுகின்றன—அவர்கள் இந்த நோக்கத்தைக் குறிப்பிடவில்லை என்று நினைக்கிறேன். நாட்டிலே இருக்கக் கூடிய மக்களுடைய எண்ணிக்கைக்கு தக்கவாறு வீட்டு வசதி அமையவில்லை. ஆகவே தான் வீட்டுக் கட்டுப்பாடு மசோதாக்களும், சட்டங்களும் கொண்டுவரவேண்டிய அவசியம் ஏற்படுகிறது. ஆகவே, இந்த நோக்கத்தோடு கொண்டு வரக்கூடிய இந்த மசோதாவிலே குறிப்பாக அதிகப்படியான வீடுகளை கட்டுவதற்கான ஒரு வாய்ப்பை ஏற்படுத்தவேண்டும் என்ற நோக்கம் இந்த மசோதா பூராவிலும் பார்க்கிறபொழுது அமைந்திருப்பதாக எனக்குத் தோன்றவில்லை. அந்தவித நோக்கத்தோடு இந்த

[Sri S. Lazar] [18th February 1961]

மசோதா அமைந்திருக்குமானால் இன்னும் நல்ல முறையிலே வர வேற்கக்கூடியதாக இந்த மசோதா அமைந்திருக்கும் என்ற கருத்தினை நான் வலியுறுத்திச் சொல்ல விரும்புகிறேன்.

அதோடுமட்டுமல்ல. மாகாணம் பூராவிற்கும் ஒரே வீட்டு வசதிக் கழகம் நாம் அமைப்போமானால், அதனால் வீடுகள் கட்டக் கூடிய ஆர்வம் குறைந்துவிடுமோ என்று கூட சந்தேகப்படுகிறேன். ஏனென்று கேட்டால், இந்த மசோதாவை பூராவிலும் பார்க்கிற பொழுது ஏதோ அதிகாரத்தை ஒரு இடத்திலே குவித்து வைப்பது போல எனக்குத் தோன்றுகிறது. ஒரு வேளை அமைச்சர் அவர்களுடைய எண்ணத்திலே வீட்டு வசதிக் கழகம் ஒரு இடத்திலே இயங்கிய போதிலும் கூட எங்கு பார்த்தாலும் அதற்கு கிளைக் கழகங்களை ஏற்படுத்தி அவைகளை நடைமுறையில் கொண்டு வருகிறபொழுது, அதிகாரத்தையும்கூட பகிர்ந்துக்கொடுக்கக்கூடும் என்று அவர் நினைப்பாரேயானால் அது மிகவும் வரவேற்கத்தக்கதாக அமையும். அதோடு, அமைச்சர் அவர்கள் குறிப்பிடுகிற பொழுது மற்றொரு நோக்கத்தையும் கூட குறிப்பிட்டார்கள். இப்பொழுது நகர அபிவிருத்தி டிபார்ட்மென்டிலே மட்டும் தான் இயங்கிக்கொண்டிருக்கிறது. மற்றைய பகுதிகளில் இந்த மாநிலத்தில் இதுபோன்ற ஒரு வசதி கிடையாது. ஆகவே மாகாணம் பூராவிலும் நல்ல முறையிலே வீடுகள் கட்டுவதற்கு இந்த பேர்ட்டு ஒரு வாய்ப்பை அளிக்கும் என்ற குறிக்கோளையும் அவர்கள் எடுத்துச் சொன்னார்கள்.

பொதுவாக இந்த மசோதாவின நோக்கங்களை பார்க்கும் பொழுது, இந்த நோக்கங்களை நிறைவேற்ற வேண்டும் என்று சொன்னால் இந்த போர்டில் இருக்கக்கூடிய அங்கத்தினர்களைப் பொறுத்துத்தான் அது இருக்கிறது என்பதையாரும் மறுக்க முடியாது. எனக்கு முன்னால் பேசிய ஒவ்வொரு அங்கத்தினரும், இந்த போர்டிலே அங்கத்தினர்களாக இருக்கக் கூடியவர்கள் பெரும்பாலோர் உத்தியோகஸ்தர்களாக இருக்கக் கூடிய நிலைமையில் இருக்கிறது என்பதை குறிப்பிட்டுச் சொன்னார்கள். பெரும்பாலோர் உத்தியோகஸ்தர்களாக இருக்கிறார்கள் என்பது மட்டுமல்ல. பெரும்பாலோர் அந்தந்த இலாகாவின் தலைவர்கள் என்ற முறையில் இதிலே சேர்க்கப்பட்டிருக்கிறார்கள். நிச்சயமாக அந்தந்த இலாகாவின் தலைவர்களுக்குப் போதிய அவகாசம் இருக்காது. ஆகவே இந்தக் காரணத்தையும் மனத்தில் கொண்டு இந்த அங்கத்தினர்களுடைய “குவாலிபிகேஷனை” மாற்றி அமைத்து, உத்தியோகப்பற்றற்றவர்களையும்கூட அதிகமான அளவுக்குச் சேர்த்தால் நல்ல முறையில் இந்தக் கழகம் அமையும், வேலைகளைச் செவ்வனே செய்வதற்கு உத்தியாகவும் இருக்குமென்பதை வலியுறுத்த விரும்புகிறேன். மேலும், இலாகாவின தலைவர்களை இதிலே அங்கத்தினர்களாக ஏற்படுத்திவிட்டு, அவர்கள் வரவில்லை என்று சொன்னால், அவர்களுடைய உத்தியாளர்களை, அதாவது அவர்களின் கீழ் வேலை செய்யக்கூடியவர்களையும் இந்தக் கழகத்தின் கட்டடங்களுக்கு அனுப்பலாமென்று சொல்லப்பட்டிருக்கிறது. அவர்களுக்கு ஓட்டு அளிக்கும்

18th February 1961]

[Sri S. Lazar]

அதிகாரம் கிடையாது என்றும் சொல்லப்பட்டிருக்கிறது. இந்த விதப்போக்கு இருக்குமேயானால், நிச்சயமாக அந்த அங்கத்தினர்கள் கலந்துகொள்ளமாட்டார்கள் என்ற கருத்தினைச் சொல்ல விரும்புகிறேன். இதை வேறு பல துறைகளிலே நாம் இப்பொழுது பார்க்க முடியும். ஒரு இலாகாவின் தலைவரோ, வேறு உயர்ந்த உத்தியோகஸ்தரையோ நியமிக்கும்பொழுது, அவர்கள் வேறு வேலையில் ஈடுபட்டிருக்கும்பொழுது, மற்றவர்களைக் கூட்டங்களுக்கு அனுப்பிவைக்கலாமென்று எங்கெங்கெல்லாம் ஏற்படுத்தியிருக்கிறார்களோ, அங்கெல்லாம் அவர்கள் சாதாரணமாக வருவதே கிடையாது. இதை மனதில் வைத்துக்கொண்டு, உத்தியோகப் பற்றற்றவர்களின் எண்ணிக்கையை அதிகப்படுத்தி, அதிலும் குறிப்பாக நல்ல வீடு கட்டும் பழக்கம் உள்ளவர்கள், கண்டிராக்டர்கள், என்ஜினியர்கள் இவர்களுக்கு அதிகப்படியான அளவுக்கு இடம் கொடுத்து, நாம் இந்தக் கழகத்தை அமைப்போமேயானால், இன்னும் நல்ல முறையில் வேலை செய்வதற்கு ஏதுவாக இருக்குமென்ற கருத்தினை வலியுறுத்த விரும்புகிறேன்.

அடுத்தபடியாக, இந்த மசோதாவின் முதல் பிரிவிலிருந்து கடைசிப் பிரிவு வரையில் அதற்குக் கொடுத்திருக்கக்கூடிய அதிகாரங்களைப் பார்க்கும்பொழுது, இந்த வீட்டு வசதிக் கழகத்திற்கும், ஆங்காங்கேயுள்ள ஸ்தல ஸ்தாபனத்திற்கும் முரண்பாடு வரக்கூடுமோ என்று சந்தேகப்படவேண்டியிருக்கிறது. ஒரு புறத்திலே ஸ்தல ஸ்தாபனங்களை அதிகப்படியாக ஏற்படுத்தி, அவைகளுக்கு அதிகப்படியான அதிகாரங்கள் வழங்கப்படுகின்றன. மற்றொரு புறத்திலே வீட்டு வசதிக் கழகங்களை ஏற்படுத்தி அவர்களுக்கும் அதிகப்படியான அதிகாரங்களை வழங்குவதினால், இரண்டிற்கும் முரண்பாடு வருமென்று வலியுறுத்திச் சொல்ல விரும்புகிறேன். ஆகவே, ஒரு சில குறிப்பிட்ட காரியங்களுக்காக மட்டும் இந்த வீட்டு வசதிக் கழகங்களுக்கு அதிகாரங்கள் கொடுக்கவேண்டுமே தவிர, பொதுவாக டிராபிக் கண்டிரோல் உள்பட இந்த மாதிரி அதிகப்படியான அதிகாரங்களை இந்தக் கழகத்திற்குக் கொடுக்கவேண்டுமென்று வரையறுத்திருப்பது நடைமுறையில் பல இடைஞ்சல்களை விளைவிக்குமென்று நினைக்கிறேன்.

(Mr. Speaker in the Chair.)

அதோடு, ஏற்கெனவேயுள்ள விடி முனிசிபல் ஆக்ட், டிஸ்ட்ரிக்ட் முனிசிபாலிட்டி ஆக்ட், பஞ்சாயத்து ஆக்ட் போன்ற சட்டங்கள் இந்த வீட்டு வசதிக் கழகங்களைப் பொறுத்த வரையில் செல்லுபடியாகாது என்று குறிப்பிட்டிருக்கிறோம். அதுவும் கூட நடைமுறையில் முரண்பட்டதாக அமையுமென்று எடுத்துச் சொல்ல விரும்புகிறேன். அதோடுகூட, இந்த வீட்டு வசதிக் கழகங்களை அமைத்து, அவைகளுக்குத் தேவைப்படக்கூடிய இடங்களைப்போ நிலங்களையோ லாண்ட் அக்விசிஷன் சட்டத்தின் கீழ் எடுத்துக் கொள்வதற்கு வசதி அளிக்கப்பட்டிருக்கிறது. எனக்கு முன்பு

[Sri S. Lazar]

[18th February 1961]

பேசிய கனம் அங்கத்தினர் ஸ்ரீ ஸ்ரீனிவாசய்யர் அவர்கள், லாண்ட் அக்விஸிஷன் சட்டத்தின்படி எடுத்துக்கொள்ளக் கூடிய நிலத்திற்கோ, சொத்திற்கோ நஷ்ட ஈடு சம்பந்தப்பட்டவரையில் இந்தச் சட்டத்தை வைத்துக்கொள்ளலாம், மற்ற நடவடிக்கைகளுக்கு இந்தச் சட்டத்தை அமல் நடத்த முற்படுவோமேயானால் காலதாமதம் ஏற்படும் என்று சொன்னார்கள். எந்த விதமான காலதாமதமும் இல்லாமல் நிலத்தை எடுத்துக்கொள்வதற்கோ, சொத்தை எடுத்துக்கொள்வதற்கோ இடம் அளிப்போமேயானால், இந்தச் சட்டம் நல்ல முறையில் இயங்குவதற்கு ஒரு வாய்ப்பு அளிக்க முடியும். இது போன்ற கழகங்களுக்கோ அல்லது கூட்டுறவு சங்கங்களுக்கோ வீடுகள் கட்டுவதற்காக நாம் நிலங்களை வாங்கிக்கொடுத்திருக்கிறோம். இந்த மசோதாவிலே கூட நான் பார்க்கிறேன், அப்படி வாங்கிக்கொடுக்கப்பட்ட நிலம் அந்தந்தக் கழகத்திற்கு அதிகம் என்று நினைப்பார்களேயானால், அவர்களுடைய தேவைக்கு மிகுதியாக இருக்குமேயானால், அதை விற்றுக்கொள்ளலாம், ஏலத்திலே கூட விற்றுக்கொள்ளலாமென்று குறிப்பிடப்பட்டிருக்கிறது. இந்த மாதிரி ஒரு நிலை இருக்கிற காரணத்தினாலே, அதை எல்லோருக்கும் மத்தியிலே ஏலம்போட ஆரம்பிக்கிறார்கள். ஆனால், வீடுகள் கட்டிவிட்ட பிறகு, அந்தக் காலி இடத்திற்கு மதிப்பு அதிகரிக்கிறது. அதன் காரணமாக, ஏலத்திலே விடுகிறபொழுது லாண்ட் அக்விஸிஷன் ஆக்டிவ்ஸ் என்ன விலை கொடுத்து வாங்கப்பட்டதோ, அதைப்போல பத்து மடங்கு அதிகமாகச் செல்லுகிறது. உதாரணமாக, திருச்சி வீடு கட்டும் கழகத்தின் சார்பாக தில்லை நகர் சொசைடியிலே இடம் வாங்கப்பட்டது. கடைகள் கட்டுவதற்காக ஒரு இடம் ஒதுக்கப்பட்டது. அந்தக் கடைகளை அவர்களே கட்டாது, ஏலத்திலே பகிரங்கமாக விற்க ஆரம்பித்தபொழுது, அதனுடைய விலை மிக அதிகமாகச் சென்றுவிட்டது. அதனுடைய பலன் என்னவென்று கேட்டால், அதை அடுத்துள்ள வீடு கட்டும் சொசைட்டி வாங்கியத்தனிக்கும்பொழுது, இந்த தாவாக்கள் எல்லாம் கோர்ட்டுக்குச் செல்லும்பொழுது, இவர்கள் ஏலம் போட்ட விலையைக்காட்டி வக்கில்கள் ஆகிய நாங்கள் வாதாடவேண்டியிருக்கிறது. விலையை அதிகமாக நிர்ணயிக்க வேண்டிய அவசியம் கோர்ட்டாருக்கு ஏற்படுகிறது. ஒரு புறத்தில் மனையைக் குறைத்து வாங்குவதற்கு வசதி செய்துவிட்டு, அவர்களே விலையை ஏற்றுவதற்கும் ஆதாரமாக இருக்கிறது. ஆகவே இந்த விலையை மாற்றி அமைக்க வேண்டும். ரெவென்யூ இலாகாவைப் பொறுத்த வரையில், நிலங்களை எடுத்துக்கொள்ளுவார்களேயானால், தேவையில்லை என்று சொல்லுகிறபொழுது, யாரிடத்திலிருந்து முதல் முதலாக வாங்கினார்களோ, அவர்களுக்கே திருப்பிக் கொடுக்கவேண்டுமென்பது இப்பொழுது இருக்கக்கூடிய நிலைமை. இவர்களுக்குத் தேவையில்லை என்று சொன்னால், பிறகு ஏலத்திலே விடுகிறார்கள். இதுபோன்ற நிலைமையிருந்தால்கூட பரவாயில்லை. வாங்கும் பொழுது மட்டும் விலை குறைவு; அவர்கள் அதிகப்படியான விலைக்கு விற்கும் வாய்ப்பை அளிக்கும்பொழுது நிச்சயமாக

18th February 1961]

[Sri S. Lazar]

நடைமுறையில் பல சங்கடங்கள் வந்துசேரும். ஆகவே இந்த விதமான ஒரு அதிகாரத்தைக் கொடுக்காமல் இருக்கவேண்டுமென்பது என் கருத்து.

அடுத்தபடியாக, இந்தமாதிரி வீடு கட்டும் கழகங்கள் அமைக்கிற காரணத்தால், ஆங்காங்கு இருக்கக்கூடிய வீடுகளுக்கோ அல்லது மனைகளுக்கோ விலை அதிகம் ஏற்படுமானால், அதனுடைய மதிப்பு அதிகப்படுமேயானால், எந்த அளவுக்கு மதிப்பு அதிகரிக்கப்பட்டதோ, அந்த அளவுக்கு பெட்டர்மென்ட் லெவி போடலாமென்று சொல்லியிருக்கிறோம். அதுவும் கூட நடைமுறையில் சாத்தியமாக இராது. அதை யார் கண்காணிப்பது, எப்படிக் கண்டுபிடிப்பது. அதற்கு என்று லெவி போட வேண்டுமென்று சொன்னால், ஒரு சில இடங்களிலே மனைகளின் விலை அதிகரிக்கும். உதாரணமாக ஒரு பெரிய தொழிற்சாலை உள்ள இடத்தில், இயற்கையாகவே, அங்கே வீடு கட்டும் இடங்களின் விலை அதிகமாயிருக்கும். அதுபோன்று முக்கியமான கடைத்தெரு இருக்குமேயானால் அங்கேயுள்ள மனைகளுக்கும் விலை அதிகமாகத்தான் இருக்கும். ஆகவே விலை அதிகரித்துவிட்டது என்ற காரணத்தைக் காட்டி, பெட்டர்மென்ட் லெவி போட வேண்டுமென்று சொன்னால், அது இயற்கைக்கு மாறாக அமையும், நல்ல முறையில் இருக்காது என்ற கருத்தை வலியுறுத்திச் சொல்ல விரும்புகிறேன்.

எனக்கு முன்பு பேசிய அங்கத்தினர் ஸ்ரீ ஸ்ரீனிவாச அம்பாள் சொன்னதுபோல், ஏதாவது தகராறு ஏற்படும்பொழுது, அதை ஒரு டிரிபியூனலுக்கு விட்டுவிட்டு, அது என்ன சொல்லுகிறதோ அதுதான் முடிவு, அதற்குமேல் ஸ்ரீவில் கோர்ட்டுக்குப் போகக் கூடாது என்று சொல்லியிருப்பது, பொதுவாக அரசாங்கம் கோர்ட்டுகளைக் கண்டு பயப்படுகிறது என்று சொல்லப்படுகிற வாதத்தை வலியுறுத்துகிற முறையில்தான் அமைந்திருக்கிறது. பொது மக்கள் கோர்ட்டுகளிலே நம்பிக்கை வைத்திருக்கிறார்கள். ஆகவே டிரிபியூனல் சொல்வதுதான் முடிவு என்று சொல்லுவது சரியாக இராது. இதையும் மாற்றவேண்டுமென்று சொல்ல விரும்புகிறேன்.

அடுத்தபடியாக கழகத்தின் சார்பாக ஒருவருக்கு இடத்தை வாடகைக்கு விட்டு அந்த வாடகையை கழகத்தின் சார்பாக வசூலிக்கும்போது அது சம்பந்தப்பட்டவருடைய சம்பளத்திலிருந்தோ அல்லது நேரடியாகவோ பிடித்துக்கொள்ளலாம் என்று கண்டிருக்கிறது. இப்படி அவர்களுக்கு ஒரு தனிப்பட்ட சலுகை கொடுக்க வேண்டியதில்லை. மற்றவர்களிடமிருந்து எப்படி வசூல் செய்யப்படுகிறதோ அதே முறையில் இவர்களுக்கும் இருக்க வேண்டும். இவர்களுக்கு மட்டும் தனிப்பட்ட சலுகை கொடுக்க வேண்டிய அவசியம் இல்லை என்று சொல்லிக்கொள்ள விரும்புகிறேன்.

[Sri S. Lazar] [18th February 1961]

அத்துடன் அவர்களை வெளியேற்ற வேண்டும் என்று சொன்னால் அந்த அதிகாரத்தை இந்தக் கழகத்திற்குக் கொடுக்கப்பட்டிருக்கிறது. இப்பொழுது புதியதாக வீடுகள் கட்ட இருக்கிறார்கள். சாதாரணமாக நிலத்தில் விவசாயம் செய்யக்கூடியவர்களைக்கூட வெளியேற்றக்கூடாது என்ற அரசாங்கத்தின் கொள்கை இருக்கிறது. அப்படி அவசியம் வெளியேற்ற வேண்டும் என்று ஏற்படும் போது அதற்கு ஓர் முறை இருக்கிறது. வீடுகள் கட்ட வேண்டும் என்பதற்காக இந்த மசோதாவை நாம் கொண்டுவந்திருக்கிறோம். அந்த முறையில் பார்க்கும்போது இங்கும் வெளியேற்றுவதைத் தடுக்க வசதி இருக்க வேண்டும் என்பதை வலியுறுத்த விரும்புகிறேன். சாதாரணமாக நிலத்தை விட்டு வெளியேற்ற வேண்டும் என்று சொன்னால் அங்கும் கூட சில வசதிகளை செய்து கொடுத்திருக்கிறோம். வாடகையையோ அல்லது குத்தகையையோ ஒருவர் கட்டிவிட்டால் அவரை வெளியேற்ற அவசியம் இல்லை என்று நாம் ஏற்கனவே சொல்லி இருக்கிறோம். அது போன்ற முறை இங்கும் இருக்க வேண்டும். அப்படி இல்லாவிட்டால் சில அதிகாரிகள் இப்பொழுது இருக்கிற அதிகாரத்தை துஷ்பிரயோகம் செய்ய முற்படுவார்கள். இது சம்பந்தமாக அதிகாரிகளை நியமிக்கும்போது அதிகாரிகள் பல கெடுதல்களைச் செய்ய முன் வருவார்கள். அதிகாரிகளை நியமிக்கும்போது சிலர் நல்லவர்களாகவும் இருக்கலாம். அப்படி நல்லவர்களாக இருக்கக் கூடியவர்கள் இந்த அதிகாரத்தை துஷ்பிரயோகம் செய்ய மாட்டார்கள். ஆனால், சில அதிகாரிகள் நல்லவர்களாக இருக்க மாட்டார்கள். அவர்கள் இந்த அதிகாரத்தை துஷ்பிரயோகம் செய்ய முன் வருவார்கள். ஆகவே இப்படிப்பட்ட அதிகாரத்தை அந்த கழகத்திற்கோ அல்லது அந்த கழகத்தின் தலைவருக்கோ கொடுத்து விட்டால் அதை வைத்துக்கொண்டு மக்களுக்கு துன்பத்தை விளைவிக்க முன் வருவார்கள். அதற்கு நாம் இடம் கொடுக்கக்கூடாது. ஆகவே இப்படிப்பட்ட அதிகாரத்தைக் கொடுப்பதால் ஏழை மக்கள் கவலைப்பட்டுக்கொண்டிருக்கிறார்கள். அதனால் பல சங்கடங்கள் ஏழை மக்களுக்கு விளையலாம். ஆகவே இப்பொழுதுள்ள அதிகாரத்தின்படி ஏழை மக்களுக்கு அதிகப் படியான சங்கடத்தை உண்டாக்குவார்கள். அதற்கு இடம் கொடுக்கக்கூடாது என்பதை வலியுறுத்திச் சொல்லிக்கொள்ள விரும்புகிறேன்.

இன்னொரு பிரிவு கூட இருக்கிறது. அதைப்பற்றி கூட கனம் அமைச்சர் அவர்கள் சற்று ஆராய வேண்டும் என்று கேட்டுக் கொள்ளுகிறேன். போலீஸ் அதிகாரிகள் இந்த கழகத்திற்கு உதவ வேண்டும் என்று சொல்லப்பட்டிருக்கிறது. அதாவது “பயஸ் விஷ்” என்று சொல்லுவார்கள். அப்படி சொல்லப்பட்டிருக்கிறது. புதிய சட்டம் கொண்டு வரும்போது அந்தச் சட்டத்தை அமுல் நடத்தக்கூடிய வாய்ப்பு இருக்க வேண்டும். “It must be enforceable It shall be the duty of the Police Officer to assist the Chairman” என்று சொல்லப்பட்டிருக்கிறது. அப்படி அவர்கள் இந்தச்

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சட்டத்தை அமுல் நடத்தும்போது அந்தச் சட்டத்தின்படி அவர்கள் நடக்கவில்லையானால், அவர்கள் செய்யவில்லையென்றால், அவர்களுக்கு என்ன தண்டனை கொடுப்பது என்பதைப்பற்றி இந்தச் சட்டத்தில் குறிப்பிடவில்லை. இந்தச் சட்டப்படி யாராவது செய்யவில்லை என்று சொன்னால் அவர்களுக்கு என்ன தண்டனை கொடுப்பது என்பதைப்பற்றி குறிப்பிடவில்லை. ஆகவே அது சம்பந்தமாக இந்தச் சட்டத்தில் ஒரு விதி இடம் பெறுவது அவசியம் என்பதைச் சொல்லிக்கொள்ள விரும்புகிறேன்.

அதோடு கூட யாராவது இந்தச் சட்டத்திற்கு முரணாக நடந்தால் அல்லது ஒரு விட்டைக் கட்டி விட்டால் அல்லது அவர்கள் விளக்கை ஏற்றி வைத்துவிட்டு அதை எடுத்து விட்டால் ட்ராபிக்கு இடைஞ்சலாக ஏதாவது செய்து விட்டால் அவர்களை அரெஸ்ட் செய்யலாம் என்று இருக்கிறது. அந்த அதிகாரத்தை ஒரு ஹெட் கான்ஸ்டபிளுக்குக் கொடுக்கப்பட்டிருக்கிறது. ஏற்கனவே நகரத்தைப் பொறுத்த வரையில் ஒரு ஆக்ட் கொண்டு வந்தபோது இது போன்ற அதிகாரங்களை இந்த கழக உத்யோகஸ்தர்களுக்குக் கொடுக்கக்கூடாது என்று சொல்லி இருக்கிறோம். இப்படிப்பட்ட அதிகாரத்தை அவர்களுக்குக் கொடுத்தால் அதை வைத்துக்கொண்டு அவர்கள் துஷ்பிரயோகம் செய்வார்கள் என்று சொல்லி இருக்கிறோம். அதன் மூலம் ஏராளமாக தவறுகள் ஏற்படும். அதற்கு வாய்ப்பு இருக்கக்கூடாது என்பதை இப்பொழுதும் வலியுறுத்திச் சொல்லிக்கொள்ள விரும்புகிறேன். வாரன்ட் இல்லாமல் அரெஸ்ட் செய்யலாம் என்ற அதிகாரத்தை ஒரு ஹெட் கான்ஸ்டபிளுக்குக் கொடுத்தால் நிச்சயமாக அதை வைத்துக்கொண்டு அவர்கள் துஷ்பிரயோகம் செய்வார்கள். அப்படி இல்லாமல் அந்த அதிகாரத்தை ஒரு சப் இன்ஸ்பெக்டருக்காவது கொடுக்க வேண்டும். அப்படிச் செய்தால் அது வரவேற்கக்கூடியதாக இருக்கும் என்று சொல்லிக்கொள்ள விரும்புகிறேன்.

ஏற்கனவே கனம் ஸ்ரீநிவாச அய்யர் சூபர்விஷன் சார்ஜலைப் பற்றியும் பொதுவாக இந்தக் கழகத்தின் நடவடிக்கைகளை கண்ட்ரோல் செய்யக்கூடிய அதிகாரம் இந்த சட்ட மன்றத்திற்கு இருக்க வேண்டும் என்றும் குறிப்பிட்டார். அது ரொம்பவும் வரவேற்கக்கூடியதுதான். அது ரொம்பவும் பொதுவான கருத்துதான். அதையே நானும் வலியுறுத்த விரும்புகிறேன். ஏற்கனவே எலக்ட்ரிசிட்டி போர்டுக்கு இப்படிப்பட்ட ஒரு அதிகாரத்தைக் கொடுத்து விட்டு அதன் மூலம் பல சங்கடங்கள் நமக்கு ஏற்பட்டது நமக்கு நன்றாகத் தெரியும். அவர்கள் செய்யக்கூடிய காரியங்களையெல்லாம் சட்டசபை கண்காணிக்க முடியாத நிலை ஏற்பட்டிருப்பது நமக்கு எல்லோருக்கும் நன்றாகத் தெரியும். நம்முடைய கருத்துக்களை அதனுடைய நடவடிக்கைக்குக் கொண்டு வருவதற்குச் சொல்ல முடியவில்லை. அவர்கள் ஏதாவது தவறாக நடந்தால் அதைப்பற்றி சொல்வதற்கும் இந்த சபைக்கு இடம் இல்லை. நம்முடைய கருத்துக்களைச் சொல்லி அவற்றை நடைமுறைக்குக் கொண்டு வருவதற்கு இடம் இல்லை.

[Sri S. Lazar]

[18th February 1961]

அது போன்ற நிலைமை இதற்கும் ஏற்படக்கூடாது. வீட்டு வசதி கழகத்தைப் பொறுத்த வரையிலும் அதற்கு இடம் கொடுக்கக் கூடாது. அதைக் கண்ட்ரோல் செய்வதற்குள்ள அதிகாரம் இந்த சட்டசபைக்கு இருக்க வேண்டும். ஆகவே இந்தக் கருத்துக்களை நான் வலியுறுத்த விரும்புகிறேன். அதே போன்று சூபர்விஷன் சார்ஜஸ் என்று 12½ சத விகிதம் என்று போட்டிருக்கிறார்கள். சாதாரணமாக விவசாயத் துறையில் இது போன்று இருக்கிறது. அங்கே சாதாரணமாக பண்டக் கட்டுவது, மண் அரிப்பை தடுப்பது போன்றவைகளுக்கு இப்படிப்பட்ட ஒரு சார்ஜ் வழங்குகிறார்கள். விவசாயத் துறையில் அப்படிப்பட்ட வேலைகளை அமூல் நடத்தும்போது அது சம்பந்தப்பட்டவர்களிடமிருந்து இப்படிப்பட்ட ஒரு பணத்தை வசூல் செய்கிறார்கள். அப்படிக் கட்டுவதைப் பார்த்தால் சாதாரணமாக 200 ரூபாய்க்கு வேலை செய்திருந்தால் அதற்கு சூபர்விஷன் சார்ஜ் என்று சுமார் 100 ரூபாய் வரையில் வசூல் செய்கிறார்கள். சாதாரணமாக மணப்பாறைப் பகுதியை எடுத்துக்கொண்டால் இது கண்கூடாகத் தெரியவரும். அப்பேர்ப்பட்ட நிலைமை இங்கும் ஏற்படக்கூடாது. அது இல்லாமல் இருந்தால் உள்படியே இந்த மசோதா ரொம்பவும் வரவேற்கக்கூடியதாக இருக்கும் என்பதை சொல்லிக்கொள்ள விரும்புகிறேன்.

அதோடு கூட எவ்வளவோ பெரிய அதிகாரத்தை இந்த கழகத்திற்கு நாம் விட்டுக்கொடுக்கப்போகிறோம். அந்த நிர்வாகத்திற்கு எவ்வளவோ பொறுப்பை நாம் கொடுக்கப்போகிறோம். அந்த அளவில் அவர்கள் அதை சரிவர அமூல் நடத்துகிறார்களா என்று பார்க்க வேண்டியது அவசியமாக இருக்கிறது. எந்த அளவிற்கு அவர்களுக்கு பொறுப்பு கொடுக்கப்படுகிறதோ அந்த அளவிற்கு அவர்களை கண்காணிக்கக்கூடிய அதிகாரம் இல்லை என்று எனக்குத் தோன்றுகிறது. சாதாரணமாக பஞ்சாயத்து நிர்வாகத்திற்கு என்று எவ்வளவோ பணத்தை நாம் கொடுக்கிறோம். அதைக் கண்காணித்து நடவடிக்கை எடுத்துக்கொள்வதற்கு சர்க்காருக்கு அதிகாரம் இருக்கிறது. அதைவிட ஒரு பெரிய பொறுப்பையும், அதிகப்படியான பணத்தையும் இந்தக் கழகத்திற்குக் கொடுக்கும் போது அதைக் கண்காணிக்கக் கூடிய அதிகாரம் இந்தச் சட்டசபைக்கும் சர்க்காருக்கும் இருக்க வேண்டியது அவசியமாக இருக்கிறது. இந்த கழகத்தின் சேர்மெனுக்கு எவ்வளவோ அதிகாரத்தை நாம் கொடுக்கிறோம். அந்த அளவில் அவர்களைக் கண்காணிக்கக்கூடிய அதிகாரம் இருக்க வேண்டும். இதைக்கூட கனம் அமைச்சர் அவர்கள் கவனத்தில் வைத்துக்கொள்ள வேண்டும் என்று கேட்டுக்கொள்கிறேன். அதற்கு வேண்டிய வழிவகையும் செய்ய வேண்டும் என்று சொல்லிக்கொண்டு, கடைசியாக சில கருத்துக்களை நான் சொல்ல விரும்புகிறேன்.

பொதுவாக இப்பொழுது நாம் புதியதாக வீடுகளைக் கட்டும் திட்டத்தை நாம் கொண்டு வருகிறோம். அதைக்கொண்டு வரும் போது அதை அமூல் நடத்தும்போது அதற்கு எந்த விதமான

18th February 1961] [Sri S. Lazar]

சங்கடமும் ஏற்படக்கூடாது. அப்பொழுதுதான் அதை எல்லோரும் வரவேற்பார்கள். பழைய வீடுகள் அல்லது நேரான தெருவுகள் இல்லை அவைகளை மாற்றி அமைக்க வேண்டும் என்று சொல்லும்போது அதை நிதானமாகச் செய்யச் சொல்லவேண்டும். அப்படிச் சொல்லும்போது அங்குள்ளவர்களுடைய உணர்ச்சியை கிளப்பக்கூடாது. நல்ல முறையில் அமுலுக்குக் கொண்டு வருவதற்கு முற்பட வேண்டும். அதற்கு வேண்டிய கவனம் செலுத்த வேண்டும். ஏதோ ரோடுகள் நேராக இல்லை அதனால் வெளியேற வேண்டும் என்று அனுவசியமாக துன்புறுத்தக்கூடாது. அவசியம் ஏற்படக்கூடிய நேரத்தில்தான் வெளியேற்ற வேண்டுமே யொழிய அனுவசியமாக வெளியேற்றுவதற்கு நடவடிக்கை எடுத்துக்கொள்ளக்கூடாது. இதில் அதிகப்படியான கவனம் செலுத்த வேண்டும் என்று சொல்லிக்கொள்ள விரும்புகிறேன். வெளியேற்றும் நடவடிக்கையில் உணர்ச்சி வேகம் ஏற்படக்கூடிய அளவில் நடவடிக்கை எடுக்கக் கூடாது. இது போன்ற நிலைமை சீன தேசத்தில் இருந்தது என்று சமீபத்தில் ஒரு புல்தகத்தை நான் படிக்கும்போது தெரிந்து கொண்டேன். இதைப் பற்றி பேர்ள் பக் என்பவர் தன்னுடைய புல்தகத்தில் குறிப்பிட்டிருக்கிறார். அங்கு வீடுகளைக் கட்ட வேண்டும் என்ற நோக்கத்துடன் அதன் தலைவர் அங்குள்ள தெருவு நேராக இல்லை என்று கண்ட மார்ஷல் ஷியாங்கி ஷேக் அவர்கள் அந்தத் தெருவை நேராகக் கட்ட வேண்டும் என்று சொல்லி ஒரு வீட்டின் சொந்தக் காரராகிய ஒரு கிழவியை தன்னுடைய வீட்டை காலி செய்யச் சொல்லி உத்தரவு போட்டதாகவும், அதற்கு அந்தக் கிழவி இணங்காமல் வீட்டை விட்டு காலி செய்ய காலம் கடத்தியதாகவும் அதன் பிறகு அந்தக் கிழவியை அப்புறப்படுத்தி அந்த வீட்டை இடிக்கச் சொன்னதாகவும், அதைக்கண்டு ஜனங்கள் உணர்ச்சி வசப்பட்டு கிளர்ச்சி செய்தார்கள் என்றும் பேர்ள் பக் என்பவர் தன்னுடைய புல்தகத்தில் எழுதியிருக்கிறார். அந்த நிலைமை இங்கும் ஏற்படாதபடி பார்த்துக்கொள்ள வேண்டும். சிலர் தன்னுடைய பரம்பரை வீட்டை விட்டுப் போவதற்கு மனம் இல்லாமல் இருக்கலாம். அந்த முறையில்தான் பேர்ள் பக் என்பவர் எழுதியிருக்கிறார். இதை அவர் மனவருத்தத்துடன் எழுதியிருக்கிறார். அந்த நிலைமை இங்கும் ஏற்படக்கூடாது. உணர்ச்சி வேகத்தைக் கிளப்பக்கூடாது. அப்படி அவர்களை பழைய வீட்டை விட்டு வெளியேற்றுவதாக இருந்தால் அவர்களுக்கு வேறு இடம் கொடுக்க வேண்டும். அந்த இடத்தில் வீடுகளைக் கட்டிக்கொள்வதற்கு வேண்டிய வசதிகளைச் செய்து கொடுக்க வேண்டும். அந்த முறையில் தெருவுகளை நேராக வைத்துக் கொள்ள வேண்டும் என்று நடவடிக்கை எடுத்துக் கொள்ள அரசாங்கம் முடிவு எடுத்துக்கொள்ள வேண்டும் என்று சொல்லிக்கொண்டு என் உரையை இத்துடன் முடித்துக்கொள்ளுகிறேன்.

[18th February 1961]

II.—ANNOUNCEMENTS—*cont.*

(2) BUSINESS OF THE HOUSE.

MR. SPEAKER: I want to inform the House the following programme of business as decided by the Business Advisory Committee:—

20th February 1961	Monday	..	..	Holiday.
21st February 1961	Tuesday	..	..	No meeting.
22nd February 1961	Wednesday	..	..	} Official business—Government Bills.
23rd February 1961	Thursday	..	..	
24th February 1961	Friday	..	..	Non-Official business.
25th February 1961	Saturday	..	..	Presentation of the Budget.
27th February 1961	Monday	..	..	General discussion on the Budget.
28th February 1961	Tuesday	..	..	} Census Holidays.
1st March 1961	Wednesday	..	..	
2nd March 1961	Thursday	..	..	} General discussion on the Budget.
3rd March 1961	Friday	..	..	
4th March 1961	Saturday	..	..	
6th March 1961	Monday	..	..	

NOTE.—The House will sit from 8-30 a.m. to 1-30 p.m. daily. Further programme will be announced later.

I shall have this programme cyclostyled and circulated to Members.

(3) ARRANGEMENTS AT THE RAJAJI HALL DURING THE QUEEN'S VISIT.

MR. SPEAKER: Hon. Members are aware that Her Majesty Queen Elizabeth II and His Royal Highness the Duke of Edinburgh are coming to the Rajaji Hall at 6 p.m. to-morrow. Invitations have already been issued to hon. Members for the Rajaji Hall function. They have also been given car passes. First the invitation was confined to Members only, but subsequently on representation, the Government decided that each hon. Member be given not more than five passes for their family. The families of Members will be seated in the lawn in front of the Rajaji Hall and *only* Members of the Legislative Assembly and Members of the Legislative Council and no others will be allowed to go up the steps of the Rajaji Hall. The Members will be seated on the verandah of the Rajaji Hall and they will be having refreshments. The Duke and Her Majesty will go round and meet them and then they will go into the Hall.

Hon. Members are requested to be in their seats before 5-30 p.m.

Some Members have already been given passes. Those who have not yet received passes and all Members who require further passes for families can apply for them. These will be given by the Legislative Assembly Department, taking into consideration the number of passes already given.

Members who are not residing inside the Government Estate will enter by the main gate opposite to Simpson and Company. They will have to show the passes for themselves and their families at the gate. If they do not show the passes, it is likely they may not be allowed inside. Members will remain in their seats and leave after five minutes after the departure of Her Majesty and His Royal Highness Prince Philip.

[18th February 1961]

DEPUTY SPEAKER: The question is—

‘That the Madras State Housing Board Bill, 1961 (L.A. Bill No. 31 of 1960), as amended by the Select Committee, be taken into consideration.’

The motion was put and carried.

DEPUTY SPEAKER: The House will now adjourn and meet again at 8-30 a.m. on Wednesday the 22nd February 1961.

The House then adjourned.

VI.—PAPERS LAID ON THE TABLE OF THE HOUSE.

A. Statutory Rules and Orders.

* 151. *Amendment to rule 215-A and 215-B to 215-D of the Madras Motor Vehicles Rules, 1940 issued in G.O. Ms. No. 3341, Home, dated 22nd October 1960 [Laid on the table of the House under section 133 (3) of the Motor Vehicles Act, 1939 (Central Act IV of 1939).]*

* 152. *Notification issued with G.O. Ms. No. 4121, Home, dated 13th December 1960 under the Madras Motor Vehicles Taxation Act, 1931 [Laid on the table of the House under section 11 (2) of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).]*

* 153. *Notification issued with G.O. Ms. No. 5710, Industries, Labour and Co-operation (Labour), dated 10th December 1960 under the Madras Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1958. [Laid on the table of the House under section 41 (3) of the Madras Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1958 (Madras Act XXXII of 1958).]*

* 154. *Notifications regarding the powers delegated to the Regional Inspectors of Municipal Councils and Local Boards in Ramanathapuram, North Arcot, and Thanjavur districts [Laid on the table of the House under section 113 (4) of the Madras Village Panchayat Act, 1950 (Madras Act X of 1950) (4 Notifications).]*

* 155. *Procedure in regard to transaction of business and conduct of meetings of District Development Councils issued in G.O. No. 1875, L.A., dated 30th November 1960. [Laid on the table of the House under section 14 (3) of the Madras District Development Councils Act, 1958 (Madras Act XVIII of 1958).]*

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* 156. Notification issued with G.O. Ms. No. 4889, Revenue, dated 29th November 1960 under the Madras General Sales Tax Act, 1959 [Laid on the table of the House under section 53 (5) of the Madras General Sales Tax Act, 1959 (Madras Act I of 1959).]

* 157. Notification issued with G.O. Rt. No. 965, Revenue, dated 29th November 1960 exempting from liability to entertainments tax, the benefit film show conducted by the Madras Secretariat Association at 10 a.m. on 12th November 1960. [Laid on the table of the House under section 16 (4) of the Madras Entertainments Act, 1939 (Madras Act X of 1939).]

* 158. Notification issued with G.O. Ms. No. 921, Revenue, dated 16th November 1960 exempting from liability to entertainments tax the benefit film shows in aid of the Flag Day Fund to be held in December 1960. [Laid on the table of the House under section 16 (4) of the Madras Entertainments Act, 1939 (Madras Act X of 1939).]

* 159. Notification issued with G.O. No. 5199, Revenue, dated 17th December 1960 exempting all dealers dealing exclusively in green tea leaves from registration. [Laid on the table of the House under section 53 (5) of the Madras General Sales Tax Act, 1959 (Madras Act I of 1959).]

* 160. Notification issued with G.O. Ms. No. 5729, Industries, Labour and Co-operation (Labour), dated 12th December 1960 exempting Khadi Gramodyog Bhavan, Madras, from all the provisions of the Catering Establishments Act, 1958, for one year. [Laid on the table of the House under section 29 (4) of the Madras Catering Establishments Act, 1958 (Madras Act XIII of 1958).]

* 161. Notification issued with G.O. Ms. No. 105, Home, dated 6th January 1961, under the Madras Motor Vehicles Taxation Act, 1931. [Laid on the table of the House under section 11 (2) of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).]

* 162. Notification issued with G.O. Ms. No. 3946, Food and Agriculture, dated 2nd December 1960, regarding the constitution of Madras Land Improvement Board under the Madras Land Improvement Scheme. [Laid on the table of the House under section 44 (3) of the Madras Land Improvement Schemes Act, 1959 (Madras Act XXXI of 1959).]

B. Reports, Notifications and other papers.

* 49. Amendment to Rule 12-B of the Madras Factories Rules, 1950, issued in G.O. Ms. No. 3741, Industries, Labour and Co-operation (Labour), dated 29th July 1960 under the Factories Act, 1948 (Central Act LXIII of 1948).

[18th February 1961]

* 50. *Amendment to rule 21 of the Rules for the Management of Special Homes and Work Houses in the City of Madras, 1955, issued in G.O. Ms. No. 3439, Home, dated 27th October 1960, under the Madras City Police Act, 1888 (Madras Act III of 1888).*

* 51. *Amendment to Rules for the Management of Special Homes and Work Houses in the City of Madras, 1955, issued in G.O. Ms. No. 3765, Home, dated 21st November 1960, under the Madras City Police Act, 1888 (Madras Act III of 1888).*

* 52. *The Madras Cinemas (Regulation) Amendment Bill, 1960 (L.A. Bill No. 32 of 1960) as passed by the Legislative Assembly on the 10th September 1960, with annexure containing the amendments made by the Legislative Council on the 31st January 1961.*

* 53. *Annexure to the Madras Estates Land (Reduction of Rent) Amendment Bill, 1961 (L.A. Bill No. 2 of 1961).*

* 54. *Annexure to the Madras Inams (Assessment) Amendment Bill, 1961 (L.A. Bill No. 4 of 1961).*

* 55. *Annexure to the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1961 (L.A. Bill No. 5 of 1961).*

* 56. *Administration Report of the Madras State Electricity Board for the year 1958-59.*

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[Sri R. Venkataraman]

யிருக்கிறது. பாதிக்காவிட்டால் பொதுக் காரியம் நடைபெறுது. அம்மாதிரி பாதிக்கும்பொழுது அக்கிரமமாகவோ அநியாயமாகவோ கட்டாயம் செய்யக்கூடாது என்பதை யாரும் ஒத்துக் கொள்ளுவார்கள். சர்க்கார் அக்கிரமம் செய்வார்கள் என்பதில்லை. அக்கிரமம் செய்வதற்கு சர்க்காரில் உட்கார்ந்துகொண்டு செய்ய வேண்டியதில்லை. தனியார் ரொம்ப பேர்கள் அக்கிரமம் செய்து கொண்டிருக்கிறார்கள். சர்க்காரில் இருந்துகொண்டு அக்கிரமம் செய்யவேண்டிய அவசியம் இல்லை. சர்க்கார் அப்படி தவறாகச் செய்வார்கள் என்று தவறை கற்பித்து, அவர்கள் அப்படிச் செய்வார்கள், இப்படிச் செய்துவிடுவார்கள் என்று சொல்லுவது சரியல்ல. உதாரணமாக ரோடு போடவேண்டுமென்று சொன்னால், தென் சென்னையிலே ஒரு ரோடு இருக்கிறது.

DEPUTY SPEAKER : May I know how much more time the Hon. Minister will take to conclude his reply?

THE HON. SRI R. VENKATARAMAN : Two minutes. ஒரு ரோடை நேராக அலைன்மெண்டு செய்யவேண்டுமென்று சொன்னால் சில பங்களாக்களில் காம்பவுண்டு சுவற்றுக்குள் 3 அடி, 5 அடி நிலம் எடுக்கவேண்டி வரலாம். ஒரு ரோடு 8 இடத்திலே வளைந்திருக்கிறது, 100 கெஜ தூரத்திற்குள். அதனால் அநேக விபத்துக்கள் ஏற்படலாம். இன்னும் போக்குவரத்து அதிகமாக அதிகமாக, நகரம் வளர வளர அதனால் “டிராபிக் ஆக்ஸிடெண்ட்” கள்”, எவ்வளவு ஏற்படும் என்பதை மறந்துவிடுகிறோம். அதற்காகத்தான் ரோடு ஸ்கீம்; ‘டெபர்டு ஸ்டிரீட் ஸ்கீம்’ இவைகளெல்லாம் போடுவதற்கு ‘ப்ரொவிஷன்’ வைத்திருக்கிறோம். இன்றைக்கு இல்லாவிட்டாலும் ஒரு குறிப்பிட்ட பகுதியில் வருகிற 20 ஆண்டுகளுக்குள் ரோடு அலைன்மெண்டு இந்த விதமாக இருக்கவேண்டும் என்று விதி வைத்திருந்தால், அங்கு இருக்கக்கூடிய வீடுகள் அதற்குள் விழுந்துவிடக்கூடும். ‘காம்பென்ஸேஷன்’ கொடுத்து அந்த இடங்களை வாங்கி ரோடு ‘ரிஅலைன்’ செய்வதற்கு உதவியாக இருக்கும். இந்த மசோதாவில் இருக்கக்கூடிய ஒரு முக்கியமான ஷரத்து என்னவென்றால், யாருடைய உரிமையை, யாருடைய நிலத்தை எடுத்தாலும் சரி, காம்பென்ஸேஷன் கொடுக்காமல் எடுப்பது என்பதே கிடையாது. எல்லாவற்றிற்கும் ‘காம்பென்ஸேஷன்’ கொடுக்கவேண்டும். ஒவ்வொரு ஸ்கீமிலும் ‘காம்பென்ஸேஷன்’ கொடுக்கவேண்டும் என்று போட்டிருக்கிறோம். இந்தச் சட்டத்தை நல்ல முறையில் அமுல் நடத்துவதற்கு சட்டசபை அங்கத்தினர்களும், பொதுமக்களும் உதவியாக இருக்கவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். ஏதாவது நான் தப்பாகச் சொல்லியிருந்தாலும் மன்னிக்கவேண்டும். ஏனென்றால் தப்பு பிரசாரம் செய்வதால் திருப்பி நான் சொல்லவேண்டிய அவசியம் ஏற்படுகிறது. அதனால்தான் கொஞ்சம் விளக்கமாகச் சொன்னேன்.

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DEPUTY SPEAKER : The question is—

‘ That the Madras State Housing Board Bill, 1961 (L.A. Bill No. 31 of 1960), as amended by the Select Committee, be taken into consideration.’

The motion was put and carried.

DEPUTY SPEAKER : The House will now adjourn and meet again at 8-30 a.m. on Wednesday the 22nd February 1961.

The House then adjourned.

VI.—PAPERS LAID ON THE TABLE OF THE HOUSE.

A. Statutory Rules and Orders.

* 151. *Amendment to rule 215-A and 215-B to 215-D of the Madras Motor Vehicles Rules, 1940 issued in G.O. Ms. No. 3341, Home, dated 22nd October 1960 [Laid on the table of the House under section 133 (3) of the Motor Vehicles Act, 1939 (Central Act IV of 1939).]*

* 152. *Notification issued with G.O. Ms. No. 4121, Home, dated 13th December 1960 under the Madras Motor Vehicles Taxation Act, 1931 [Laid on the table of the House under section 11 (2) of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).]*

* 153. *Notification issued with G.O. Ms. No. 5710, Industries, Labour and Co-operation (Labour), dated 10th December 1960 under the Madras Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1958. [Laid on the table of the House under section 41 (3) of the Madras Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1958 (Madras Act XXXII of 1958).]*

* 154. *Notifications regarding the powers delegated to the Regional Inspectors of Municipal Councils and Local Boards in Ramanathapuram, North Arcot, and Thanjavur districts [Laid on the table of the House under section 113 (4) of the Madras Village Panchayat Act, 1950 (Madras Act X of 1950) (4 Notifications).]*

* 155. *Procedure in regard to transaction of business and conduct of meetings of District Development Councils issued in G.O. No. 1875, L.A., dated 30th November 1960. [Laid on the table of the House under section 14 (3) of the Madras District Development Councils Act, 1958 (Madras Act XVIII of 1958).]*

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* 156. Notification issued with G.O. Ms. No. 4889, Revenue, dated 29th November 1960 under the Madras General Sales Tax Act, 1959 [Laid on the table of the House under section 53 (5) of the Madras General Sales Tax Act, 1959 (Madras Act I of 1959).]

* 157. Notification issued with G.O. Rt. No. 965, Revenue, dated 29th November 1960 exempting from liability to entertainments tax, the benefit film show conducted by the Madras Secretariat Association at 10 a.m. on 12th November 1960. [Laid on the table of the House under section 16 (4) of the Madras Entertainments Act, 1939 (Madras Act X of 1939).]

* 158. Notification issued with G.O. Ms. No. 921, Revenue, dated 16th November 1960 exempting from liability to entertainments tax the benefit film shows in aid of the Flag Day Fund to be held in December 1960. [Laid on the table of the House under section 16 (4) of the Madras Entertainments Act, 1939 (Madras Act X of 1939).]

* 159. Notification issued with G.O. No. 5199, Revenue, dated 17th December 1960 exempting all dealers dealing exclusively in green tea leaves from registration. [Laid on the table of the House under section 53 (5) of the Madras General Sales Tax Act, 1959 (Madras Act I of 1959).]

* 160. Notification issued with G.O. Ms. No. 5729, Industries, Labour and Co-operation (Labour), dated 12th December 1960 exempting Khadi Gramodyog Bhavan, Madras, from all the provisions of the Catering Establishments Act, 1958, for one year. [Laid on the table of the House under section 29 (4) of the Madras Catering Establishments Act, 1958 (Madras Act XIII of 1958).]

* 161. Notification issued with G.O. Ms. No. 105, Home, dated 6th January 1961, under the Madras Motor Vehicles Taxation Act, 1931. [Laid on the table of the House under section 11 (2) of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931).]

* 162. Notification issued with G.O. Ms. No. 3946, Food and Agriculture, dated 2nd December 1960, regarding the constitution of Madras Land Improvement Board under the Madras Land Improvement Scheme. [Laid on the table of the House under section 44 (3) of the Madras Land Improvement Schemes Act, 1959 (Madras Act XXXI of 1959).]

B. Reports, Notifications and other papers.

* 49. Amendment to Rule 12-B of the Madras Factories Rules, 1950, issued in G.O. Ms. No. 3741, Industries, Labour and Co-operation (Labour), dated 29th July 1960 under the Factories Act, 1948 (Central Act LXIII of 1948).

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* 50. *Amendment to rule 21 of the Rules for the Management of Special Homes and Work Houses in the City of Madras, 1955, issued in G.O. Ms. No. 3439, Home, dated 27th October 1960, under the Madras City Police Act, 1888 (Madras Act III of 1888).*

* 51. *Amendment to Rules for the Management of Special Homes and Work Houses in the City of Madras, 1955, issued in G.O. Ms. No. 3765, Home, dated 21st November 1960, under the Madras City Police Act, 1888 (Madras Act III of 1888).*

* 52. *The Madras Cinemas (Regulation) Amendment Bill, 1960 (L.A. Bill No. 32 of 1960) as passed by the Legislative Assembly on the 10th September 1960, with annexure containing the amendments made by the Legislative Council on the 31st January 1961.*

* 53. *Annexure to the Madras Estates Land (Reduction of Rent) Amendment Bill, 1961 (L.A. Bill No. 2 of 1961).*

* 54. *Annexure to the Madras Inams (Assessment) Amendment Bill, 1961 (L.A. Bill No. 4 of 1961).*

* 55. *Annexure to the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1961 (L.A. Bill No. 5 of 1961).*

* 56. *Administration Report of the Madras State Electricity Board for the year 1958-59.*

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

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APPENDIX I.

[Vide answer to starred question No. 367 asked by Sri S. M. Annamalai at the meeting of the Legislative Assembly held on 18th February 1961, page 14 supra.]

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS OF THE FERTILIZER DISTRIBUTION ENQUIRY COMMITTEE.

GENERAL.

1. The consumption of nitrogenous fertilizers in the country has gone up very rapidly from 2.82 lakh tons in 1951-52 to 11 lakh tons in 1959-60 in terms of sulphate of ammonia. It has been planned to increase this consumption to fifty lakh tons in 1965-66. Similarly the consumption of phosphatic fertilizers has gone up from 6,888 tons in 1951 to 38,887 tons in 1959 and is expected to rise to four lakh tons in 1965-66 in terms of $P_2 O_5$ (1.19 to 1.21 and 8.53).

2. In the many pronged attack to increase rapidly the agricultural production, the fertilizers occupy a pivotal position. The large increase in consumption programmed for the Third Five-Year Plan cannot be attained unless (a) the prices of fertilizers and agricultural produce are so related that it is profitable for the farmer to use the fertilizer; (b) the arrangements for distribution, including stocking and sales are orderly and adequate; (c) sales promotion is vigorously pursued by the fertilizer distributors and is actively supported by the extension work for teaching the farmers and (d) the required quantities of fertilizers are made available both from indigenous production as well as from imports so that the consumption is steadily stepped up year after year as it would not be possible to create a very large demand all of a sudden. It has also to be recognized that so long as the shortage of fertilizers is acute, the extension and sales promotion agencies may not feel called upon to put forth their best efforts. (8.52, 8.53)

3. There is at present an acute shortage of nitrogenous fertilizers, but the supply of phosphates exceeds the demand. The country has, however, to prepare for the situation of more plentiful supplies. (8.1)

4. The problems of distribution differ according to the consumption level attained and the organizational stage reached by the co-operative movement in the State. (8.2)

MIXTURES AND COMPLEX FERTILIZERS.

1. The use of fertilizers in mixed form should be encouraged to promote balanced fertilization and assist in stretching the limited supplies of nitrogen over large areas. (1.9)

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2. The use of balanced fertilizers should be promoted by assisting the farmer to buy mixtures suited to his soil and crops and also ensuring reasonable prices for mixtures. (5-3, 5.4)

3. The use of mixtures should be extended through suitable assurances to mixing firms and mixture manufacturers. (5-5)

4. The mixtures may be marketed in granulated form to safeguard the farmer against fraud and adulteration. (5-3, 5.4)

5. To protect the farmers, all States should fix the composition of mixtures in conformity with the established fertilizer recommendations. These recommendations should be reviewed annually. (5-6)

6. Crop requirements in any State can be supplied adequately with the maximum of six grades of mixtures including the complex fertilizers. (6-7)

7. Since farmers generally do not know how to make the best use of mixed or complex fertilizers, it will require careful education to acquaint them with this type of fertilizers. (6-6)

8. The first priority for liquid fertilizer should be for use in the manufacture of mixed fertilizers. (6-14)

9. The use of liquid fertilizer on small farms is a problem which must be studied. (6-16)

10. As a general practice it is not advisable to mix micro-nutrients with fertilizers. It is advisable that micro-nutrient elements be applied only on the recommendation of a qualified scientist. (6-22)

11. Since in the trade of mixtures opportunities for mal-practices are great and may not be easily detected by the farmers, it is essential to institute a good system of sampling and check at various stages. For this purpose it is necessary to appoint a sufficient number of inspectors and to see that they regularly draw a large number of samples and to ensure that analyses keep pace with the progress of checking. It is also desirable to entrust the compounding of mixtures to reliable and reputable firms and parties, who in order to maintain their reputation would not permit mal-practices to prevail either at their own end or of their agents. The grades of mixtures should be expressed in whole numbers. (8-34, 8-37)

12. To increase the consumption of mixtures the following methods are recommended :—

(a) The prices of mixtures should be reasonable.

(b) Nitrogenous fertilizers should be made available to the mixing firms at the pool price and in increasingly large quantities.

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(c) Loan facilities should be extended to the farmers for purchase of approved mixtures.

(d) Under specified conditions a rebate should be given to mixture manufacturers so as to reduce the cost of mixtures. A small profit may be made by Central Fertilizer Pool from the sale of nitrogenous fertilizers so as to finance the scheme of rebates on mixtures. (8-38, 8-45)

13. The price of mixtures should be fixed on a uniform basis taking into consideration and the unit costs of various fertilizer elements in the mixtures. So far as nitrogen is concerned the unit cost of organic and inorganic nitrogen should be based on the average cost of all nitrogenous fertilizers in current supply. The prices fixed should be periodically reviewed. (8-46 and 8-47)

CONTROL OF QUALITY, LICENSING AND REGISTRATION.

1. Regular drawal of samples for test analysis from straight fertilizers as well as mixtures at various stages in their marketing is the only effective instrument for enforcing the control over their quality. The number of samples so far taken and examined by the States is very low. (4-7)

2. The dealers' licensing fees should not be deterrent. The fees fixed for the issue of dealers' licences should be regarded as a means of regulation of trade and not as a measure for revenue collection. The Committee suggests a fee of rupees five for the issue of a retail dealer's licence and a fee of rupees fifty for the issue of wholesale dealer's licence, on an annual basis. As the Fertilizer (Control) Order is a Central Order and as the fees are approved by the Controller of Fertilizers there ought to be a measure of uniformity in their fixation throughout the country. (4-10 to 4-12).

3. The registration fee for mixtures should also be reasonable and uniform for the reasons stated above. (4-12)

4. As the fertilizer year now corresponds to the financial year, the licensing year should be the same as the financial year and the licences may be issued for three years at a time if the licensee so desires. (4-13).

5. The definition adopted for wholesalers and retailers should be uniform throughout the country and in accordance with the sense usually connoted. (4-9).

TRAINING OF SALES PERSONNEL.

1. As the farmers learn how to use fertilizers more effectively, distributors will need better trained men to sell these materials. To develop men with adequate qualifications, training courses should be planned and put into operation at an early date. (6-9)

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2. New developments in the fertilizer industry demand well-trained men and new procedures of distribution. In addition to the knowledge of salesmanship, a thorough and complete understanding of the fertilizers in the market and how they should be used by the farmer are necessary for the salesman. (6-24).

3. Fertilizer sales personnel should be given short training on fertilizers so that they may be able to advise farmers as to how, when and where to use the fertilizers. These courses may be organized by the Co-operative Departments with the help of Agricultural Extension staff. (8-20).

4. The research, extension and educational groups in the agricultural field must work diligently to develop information as to the value of various fertilizer materials and educate the farmer to use them economically through demonstrations carried out in their fields. (6-24, 8-21).

5. An understanding between the sales organization and extension and research groups can be best obtained by yearly joint meetings to discuss fertilizer problems which have arisen during the year. (6-25).

DISTRIBUTION.

(i) *Co-ordination of distribution.*

1. Only a single agency should co-ordinate distribution and allocate supplies of fertilizers to districts. In several States, besides the State Department of Agriculture, the Apex Co-operative Society also functions as a co-ordinating agency. If this work is done by one agency at the State level it will avoid duplication of work and staff and lead to an economy in expenditure. (3-3).

(ii) *Estimates of demand.*

2. Wherever the work relating to distribution of fertilizers is entrusted to a Co-operative Department, the State Agriculture Department and the District Agricultural Officers should be closely associated with the estimation of demand of fertilizers. (3-3).

3. Influential farmers and dealers in fertilizers at Taluk Headquarters should also be consulted while framing the estimates. The States should be encouraged to prepare a realistic estimate of demand. The Central Fertilizer Pool, while allocating the fertilizers to the States should take into consideration the past consumption as also the achievements in respect of increased production. (8-2 to 8-4).

(iii) *Despatch instructions.*

4. The States should be given, in the beginning of the year an indication of the likely allocation of fertilizer, quarter by quarter, so that they may be ready with despatch instructions sufficiently in advance of the commencement of the supplies. To

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enable this being done, release of foreign exchange should be secured sufficiently in advance and the orders should also be placed in time. (8.7).

(iv) *Stock returns and checking.*

5. Information about the stocks of fertilizers in the retail depots is at present not being regularly received and analysed. The stocking of bags in the depots is often unsatisfactory which makes physical verification difficult. It is essential that arrangements should be made for regular checking of the accounts as well as the stocks at the depots. (3.5).

(v) *Administrative charges.*

6. In most of the States, administration charges are included in the cost of distribution of fertilizers. In Madras and Bombay, administrative charges vary according to the cost of the fertilizer, the costlier the fertilizer the higher the charge. Since the cost of administration and transport by road are independent of the price of fertilizers, the Committee feels that there is little justification for linking administrative charges with the price of the fertilizers. (7.6).

7. The State Governments have been involved in the distribution of fertilizers because of the Central Fertilizer Pool and do not look upon fertilizer business as an opportunity to make profit. The cost of establishment at the State levels should be frequently reviewed and kept at the minimum. The Committee considers that the cost of administration charges should not ordinarily exceed rupee one per ton. (7.8).

(vi) *Cost of road transport.*

8. The cost of transport by road should be pooled at the States' level so that the fertilizer can be sold at a uniform price throughout the State irrespective of the distance of the fertilizer depot, and so that the tendency to sell fertilizer only at the railhead is discouraged. To simplify the operation of this freight-pool, it is suggested that from out of the controlled price a rebate may be allowed to retailers according to notified rates of transport for scheduled distances from the wholesale depot to the retail depots. Notified rates may be revised from time to time, but as a working basis the following rebates which operated in Maharashtra State may be considered :—

1. For 6 to 10 miles.—Rs. 0.50 per ton/mile.
2. For 11 to 20 miles.—Re. 0.37 per ton/mile.
3. For 21 and over miles.—Re. 0.25 per ton/mile.

It will facilitate the working of rebates if distances of retail deposits from the railhead are tabulated and communicated in advance to both the parties. Where the cost of ferrying fertilizers across rivers is high, a special rebate may be allowed for this purpose from the pooled transport cost. (7.12, 8.13).

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9. To reduce the incidence of road transport cost, arrangements should be developed for taking delivery of fertilizers in wagon-loads at the largest possible number of railway stations and particular in Taluk (Tehsil) and Mandi railheads. (7-13).

(vii) *Transport costs on hills.*

10. In hill areas where the fertilizer has to be transported by mules or even on head-loads the cost of transport is very high, such high transport cost is at present being subsidized in certain areas like Himachal Pradesh, Manipur and Tripura. These *ad hoc* arrangements need to be recognized as a regular feature to be financed by the Central Fertilizer Pool and extended to all States with similar tracts which are difficult of access. (7-14, 8-14).

11. To promote economy in the cost of transport in hilly areas, a progressive switch over to concentrated fertilizers may be planned. In areas where road transport is at present subsidized and in areas where it is contemplated to introduce this subsidy it may be restricted to concentrated high analysis fertilizers so as to transport a larger quantity of plant food at the same cost. (7-15).

(vii) *Shortage.*

12. Only a few States have furnished figures of shortages and spillage of fertilizers. In the Committee's view these are generally due either to pilferage or leakage in transit and handling, the former not being a significant factor. Leakage is largely due to use of hooks during loading and unloading. This damaging practice, it is hoped, will vanish when packaging is done in smaller bags of fifty kilograms. Since, however, certain shortages occur at present the Committee recommends a provision of Rs. 1-50 per ton. (7-23, 7-24).

(ix) *Sales tax on fertilizers.*

13. While it is recognized that sales tax is an important source of revenue to the States, its incidence in some States is as high as Rs. 20 per ton of sulphate of amounts. As both the Central and the State Governments are endeavouring to keep the cost of fertilizers down, it is recommended that the exemption of fertilizers from the sales tax may be considered by the States. (7-26, 7-27).

14. Certain commodities have been recognized as of special importance in inter-State trade or commerce under the Central Sales Tax Act, 1956. Since fertilizers, which are manufactured in a limited number of factories, are to be used, throughout the country the Committee considers that fertilizers should also be classed as goods of "special importance" in inter State trade and commerce. (7-28).

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(x) *Interest charges.*

15. In certain States interest on capital invested is added to the cost of distribution. The incidence of interest differs from State to State. The Committee considers that in the most unfavourable circumstances, fertilizers may have to be stored by the wholesalers for five to six months and by the retailers for two months. As the lifting of the stock from the wholesale godowns will be spread over, the period of incidence of interest should not be more than three months. Taking into account the period of two months, which at present lapses before the debit is raised against the State Governments, the Committee considers that if the Central Pool raises the debit after three months from the date of consignment, no interest charges need be provided for the period for which the stock remains with the wholesalers. Presumably it would be possible to meet this additional interest for one month from the present pool price structure of the Central Pool and if not, a suitable provision for one month may be made. As retail sales will be spread over, interest charges for not more than one month need be provided for the retailers. The Committee, therefore, recommends that—

The Central Pool may raise the debits for the value of the stocks supplied after three months from the date of consignment. The sale of fertilizers to the retailers should be made by the wholesalers on payment of value and a provision of rupees two may be made in the distribution charges on account of interest of capital employed at the retailers' end. (7-34 to 7-37).

(xi) *Commissions for distribution.*

16. The Apex distributing agents and the wholesale agents at present utilize most of the commission with the result the very little is left for the retail distributors who suffer from the lack of incentive to sell fertilizers. The wholesalers should be discouraged from undertaking retail sales. The Committee recommends that in order to provide adequate incentives to the retailers to enter into this business the rate of commission should be increased from the Apex level to the village level and these should be fixed by the State Governments taking the above factors into consideration (7-39, 7-12).

17. It is necessary to keep down the expenses of internal distribution by eliminating unnecessary intermediary functionaries. Only the Marketing Co-operative Society at the taluk level and the Primary Society at the village level have a real service to render in fertilizer distribution. If there is an Apex Co-ordinating agency at the State level, the State Government should only act as a channel of communication between the Apex agency and the Central Pool and undertake financial responsibility for the supply of fertilizers from the Central Pool to the State. (7-40, 8-94, 8-10).

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(xii) *Cost of distribution.*

18. On the whole, the Committee considers that it is possible to cover the cost of distribution within a margin of rupees thirty per ton for sulphate of ammonia. (7.43).

(xiii) *Supply on consignment basis.*

19. The system of supplying fertilizers on consignment basis to the primary co-operative societies does not work well as the societies often fail to remit in time the sale proceeds to the State Governments and utilize them for their other business. Since the required supervision and check over the primary societies is not likely to be provided for some more time, the fertilizer may be supplied on a consignment basis only to the wholesalers and the retailers should be asked to lift the stocks after payment. (8.12).

(xiv) *Fertilizer loans.*

20. The farmers should be afforded sufficient credit facilities for the purchase of fertilizers. The loans should be given in kind (not in cash) and rate of interest should be reasonable. (8.2, 8.8, 2.3).

(xv) *Working hours of depots.*

21. The co-operative depots should remain open for the sale of fertilizers at hours convenient to farmers so that they are enabled to purchase fertilizers when they are free from farm work. (8.7).

(xvi) *Storage and warehousing.*

22. As the demand for fertilizer is seasonal, it would be cheaper if different commodities required by the cultivators are stored in some godown. The Committee, therefore, recommends that the setting up of separate depots exclusively for dealing in fertilizers should be discouraged with a view to lowering the cost of their distribution. (7.21).

23. The present difficulty about the storage of fertilizers especially in the off-season is likely to diminish when the new factories are set up during the Third Plan. In the meantime the congestion in the depots can be minimized by instituting a system of off-season sales rebates so that farmers are induced to take delivery of the fertilizers during the lean months. In this manner the farmer will also be certain of having the fertilizers in time for their needs. (8.27 to 8.29.)

24. The warehouses and godowns should be so constructed as to suit the local climate conditions and also with a view to doing away with avoidable handling. It should be possible to store in the same godowns, besides fertilizers, other agricultural requirements and commodities so that storage expenses will be reduced and the cultivator will be able to secure most of his requirements at one and the same place. (8.30, 8.31).

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(xvii) *Phosphates promotion.*

25. The sales of superphosphates are poor in those States where there is a monopoly of distribution by the Government or co-operative societies. To increase its consumption, it is suggested that the State Governments may encourage the superphosphate manufacturers to build up their sales organizations and to develop sales by providing incentives. These organizations can also assist in selling fertilizer mixtures. The manufacturers would also utilize the co-operative societies for the purpose, as they are already doing in some cases. (8.16.)

26. The progress of consumption of phosphatic fertilizers is much behind the schedule envisaged in the Second Plan. In view of the urgent need to promote balanced fertilization as well as to reduce the prevalent high costs of Indian-made superphosphates, the Committee recommends that a subsidy of twenty-five per cent be granted on all purchases of superphosphate and that this be operated in the form of rebate granted to manufacturers on the lines indicated for the mixtures and that the cost of this subsidy be borne by the Central Fertilizer Pool. (8.48, 8.49.)

(xviii) *Cheaper fertilizers.*

27. Fertilizers should be supplied to farmers at as low a price as possible. When the cost of fertilizers is low, the net profit to the farmer is higher which gives him an inducement to use more fertilizer and raise agricultural production. (1.7.)

28. The present prices of nitrogenous fertilizers in India are very high as compared with the prices ruling in other countries. The prices of foodgrains also do not justify a high level of prices for fertilizers. The Committee considers that the prices of nitrogenous fertilizers now ruling are susceptible to substantial reduction without in any way impairing the financial position of the pool and its ability to take the tasks of subsidy recommended for mixtures and superphosphates. (8.50 to 8.52.)

29. The present prices of muriate of potash and sulphate of potash are also very high and require a substantial reduction of grounds of equity and promoting their freer use. (8.52.)

(xix) *Marketing of new brands.*

30. To promote the use of new or comparatively less popular fertilizers it is considered expedient to allow a larger commission than admissible on the basis of equivalent nutrient value of the popular brand. (7.42.)

31. Many of these societies are reluctant to undertake the sale of new and comparatively less popular fertilizers. It should be made clear to the co-operative societies that they cannot pick and choose the fertilizer which they wish to sell and that they must market the entire range of fertilizers. (8.15.)

32. To push up the sales of fertilizers the salesmen may be paid bonus (say at 20 nP. per bag of two cwt.) in addition to their pay or honorarium provided they show improvement over past per-

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formance. The Central Fertilizer Pool may also consider a prize scheme for encouraging sales of unpopular or new fertilizers and mixtures. These prizes may be awarded through the State Government to the primary societies which have shown good progress. (8.18, 8.19.)

(xx) *Marketing Corporation.*

33. The present organization of the Central Fertilizer Pool is considered inadequate. In the next few years greatly increased quantities of fertilizers are to be procured and distributed. If the Committee's recommendations regarding subsidy on mixtures and phosphatic fertilizers are to be implemented, increased responsibility will rest upon the pool. The pool will also have to undertake propaganda work for promoting the use of new fertilizers. The Committee recommends that the duties now performed by the Central Fertilizer Pool and the anticipated additional responsibilities may be entrusted to an organization which may be called the Central Fertilizer Marketing Corporation. This Corporation should enjoy a liberal measure of autonomy while working under the direction and superintendence of the Department of Agriculture. (8.53, 8.54.)

34. A committee of experts may be constituted to draft a constitution of the proposed Corporation after studying the methods adopted for ensuring effective marketing and distribution of fertilizers in advanced countries, such as United States of America, Western Europe and Japan. (8.55.)

NOTE.—The references in brackets below each paragraph are to the Chapter and paragraph of the main report.

APPENDIX II.

[Vide answer to clause (2) of the starred question No. 371 asked by Sri Vedarathnam at the meeting of the Legislative Assembly held on 18th February 1961 page 19 supra.]

The number and nature of samples taken from the Co-operative Societies in the State during the year 1959, are furnished below :—

Nature of samples.	Number of samples taken.	Number adulterated.	Punishment awarded.
(1)	(2)	(3)	(4)
Gingelly oil ..	13	Nil	..
Milk	15	2	One case fined Rs. 60. Another case fined Rs. 1,000.
Ghee	3	Nil	..
Butter	2	2	The cases are pending.
Tea dust ..	3	1	The case is pending.
Coconut oil ..	3	Nil	..
Groundnut oil..	2	Nil	..
Coffee powder ..	1	Nil	..

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Nature of samples	Number of samples taken.	Number adulterated.	Punishment awarded.
(1)	(2)	(3)	(4)
Turmeric ..	2	2	1 case fined Rs. 50 ; one case pending.
Toor dhall ..	2	Nil	..
Maida ..	1	Nil	..
Sugar.. ..	1	Nil	..

APPENDIX III.

[Vide answer to clause (b) of the starred question No. 381 asked by Sri A. A. Rasheed at the meeting of the Legislative Assembly held on 18th February 1961, page 30 supra.]

The Madras Co-operative Milk Supply Union which is one of the agencies supplying fresh milk in the City has taken the following steps to increase the production and supply of milk to the consumers :—

(1) The Union has organized new milk supply societies in Wallajabad area in Chingleput district and these societies are supplying milk to the Union at present.

(2) The Union has been issuing loans to its affiliated Milk Supply Societies in the City with a view to augmenting the production of milk.

(3) Loans have been issued to Thiruporur and Manamithi Societies in Lattice Bridge Covelong line and these societies are now supplying milk.

(4) The Madras Co-operative Milk Supply Union has increased the purchase prices of milk in regard to village societies and societies situated in belt-areas.

(5) New societies are being organized round about Singaperumalkoil where the Union is installing a chilling plant.

As a result of the steps taken by the Union, the daily average production of milk in October 1960 has increased to 18,303 lb. from 16,148 lb. in September 1960. The production is expected to increase further in the coming months.

2. With a view to increasing the production of milk the Madras Milk Supply Union has been advised to arrange to issue more loans to the affiliated societies and also to see that as far as possible the loans are not disbursed in cash but the animals are purchased with the aid of one of the Directors of the Union and one or two representatives of the feeder societies and supplied to the members.

3. With a view to reorganizing the milk, supply position in the City of Madras, a scheme known as the " Madras Dairy and Milk Project " had been drawn up and included in the Second Five-Year Plan. A Milk Colony at Madhavaram village has been set up. This Colony after its completion will provided accommodation

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for 4,000 animals in eight units. The first of the eight units for 500 animals commenced functioning on 4th November 1959. An approximate quantity of about 5,500 lb. of milk per day is being collected from this Unit and transported to the Government Milk Factory for processing and sale to the public through the kiosks located in different parts of the City. Three more Units with accommodation for 1,500 milch animals are now ready for occupation and milch animals are now being admitted. These three additional units are expected to produce nearly 18,000 lb. of milk which will go a long way to augment the milk supply in the City. After the completion of the Colony in full, an approximate quantity of about 50,000 lb. is likely to be collected.

4. Besides the production of milk in the Colony, arrangements are now being made to organize a large number of milk supply societies in the rural areas of Chingleput, North Arcot and South Arcot districts so that the surplus milk produced in those areas could be transported to the City in good condition. Provision has been made to give financial help to the member-producers in purchasing milch animals. Steps are also being taken to give proper treatment to the raw milk at the production end and transport the same in vans in good condition to the City. It is estimated that nearly three-fourths of the milk requirements of the City could be drawn from the milk pockets located in the adjoining districts of Madras City. Besides the above, it is also planned to tap milk from potential milk production areas in Erode and Coimbatore and transport to the City utilising rail tankers, for supply in the City under the Madras Dairy and Milk Project after processing in the Milk Colony at Madhavaram. The New Zealand Government have given a generous aid of £ 215,000 (Rs. 29 lakhs) to meet the foreign exchange involved in the purchase of all the Dairy machinery and equipment needed from foreign countries.

APPENDIX IV.

[Vide item IV on page 34 supra.]

REPORT OF THE SELECT COMMITTEE ON THE MADRAS STATE HOUSING BOARD BILL, 1960 (L.A. BILL No. 31 OF 1960).

To

THE HON. THE LEGISLATIVE ASSEMBLY,

MADRAS.

The Select Committee appointed to consider the Madras State Housing Board Bill, 1960 (L.A. Bill No. 31 of 1960), has the honour to make the following report.

2. The Bill was published in English in Part IV-A of the *Fort. St. George Gazette Extraordinary*, dated the 22nd August 1960, and in Tamil in the *Fort St. George Gazette*, dated the 12th October 1960.

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3. The Select Committee was appointed by a resolution of the Assembly, dated the 9th September 1960. Seven members of the Legislative Council were also invited to serve on the Select Committee.

4. The Select Committee met in the Committee Room, Legislators' Hostel (Old), Government Estate, Mount Road, Madras, on the 5th, 6th and 7th October 1960 and also in the Member's Lounge Room, Fort St. George, Madras, on the 18th and 20th January 1961.

5. The Select Committee subjected the Bill to a thorough scrutiny and as a result has made several changes. The important changes are noted below :—

Clause 4.

This clause provides for the constitution of the Housing Board. The Committee decided to include the Member of the Board of Revenue in-charge of Land Revenue also as a Member, ex-officio of the Housing Board. It was also decided that in the case of the Member of the Board of Revenue, the Chief Engineer, Public Works Department (Buildings), and the Secretary to Government in the Finance Department, they may be enabled to depute any officer subordinate to them to attend the meetings of the Housing Board. The clause has been amended accordingly.

Clause 18.

Sub-clause (2) of this clause provides that any officer or servant of the Board, who is aggrieved by an order passed under sub-section (1) may, within two months from the date of such order, or if such order is communicated to him, within one month from the date of receipt by him of such order, appeal to the Board or the Government, as the case may be. The Committee decided to amend the clause providing for an appeal period of two months from the date of receipt by the officer or servant of such order. The sub-clause has been amended accordingly.

Clause 21.

Sub-clause (1) of the clause provides that the Board shall establish a Housing Unit for the City of Madras. The Committee decided that provision should also be made for establishing Housing Units also for the area comprising places situated within 25 miles of the limits of the City of Madras. The sub-clause has been amended accordingly.

Clause 22.

Sub-clause (2) of this clause provided that the Chairman may delegate to any officer of the Board any of his powers, duties or functions with certain exceptions, provided that he shall not delegate his powers under section 16 to make appointments to posts the maximum monthly salary of which exceeded Rs. 250. The Committee decided that this should be limited to posts the maximum monthly salary of which exceeded Rs. 100. The sub-clause has been amended accordingly.

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Clause 28.

Sub-clause (1) of this clause provides that the Board shall have power to incur expenditure exceeding fifty thousand rupees on any single work or scheme, without prescribing an upper limit. But in the proviso, it is stated that the Board shall incur expenditure exceeding ten lakhs of rupees with the previous approval of the Government. The Committee felt that the sub-clause and the proviso could be suitably clubbed and the clause recast. The clause has been recast accordingly.

Clause 35.

This clause deals with the power of the Board to undertake housing or improvement schemes and to incur expenditure therefor. It was decided to add a new sub-clause to the effect, that the Board may, on such terms and conditions as may be agreed upon, take over for execution any housing or improvement scheme undertaken by a local authority and the Board shall execute such scheme as it has been provided for by the Act. A new sub-clause to this effect has been added to the clause.

Clause 51.

This clause deals with the notice of proposed acquisition of land. The Committee expressed the view that sub-clause (3) which deals with the issue of notice regarding acquisition of land and recovery of betterment levy could be deleted in view of the provisions contained in clauses 70 and 74, which deal with the acquisition of land and the assessment of betterment fee and notice to persons liable to such fee, respectively. It was also decided to provide for the filing of objections within 30 days from the service of notice. The clause has been amended accordingly and necessary consequential changes also effected.

Clause 54.

This clause deals with the publication of sanction of housing or improvement schemes. The Committee decided to provide an appeal for persons aggrieved by the decision of the Board sanctioning such scheme within 30 days from the date of last publication in the gazette of the said scheme. A sub-clause has been added accordingly as sub-clause (3) and the existing sub-clause (3) suitably recast and renumbered as sub-clause (4).

Clause 66.

This clause deals with the duties of the Board, other than those dealt with in the foregoing clauses. The Committee decided to incorporate a suitable provision under this clause to enable the Board to manufacture and sell building materials. Sub-clause (4) has been amended to this effect.

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Clause 71.

This clause deals with the power of the Board to purchase or lease by agreement and provides that the Board shall not enter into such agreement without the previous approval of the Government, if the value of such land or interest exceed ten thousand rupees. The Committee decided that the limit should be raised to fifty thousand rupees. The clause has been amended accordingly.

Clause 82.

This clause provided that the award of the Tribunal under the Land Acquisition Act, 1894 (Central Act I of 1894) shall be final. The Committee decided that the clause might be suitably modified to make it specific that the award of the Tribunal shall be final and shall not be called in question in any court of law. The clause has been amended accordingly.

Clause 91.

The clause deals with the power of the Board to borrow. The Committee decided that the Board might be enabled to enter into financial arrangements with banks or financing institutions like the Insurance Corporation. The Committee also decided that provisions should be made for the lending of money by the Board. Necessary provisions have since been made in this regard under this clause.

Clause 93.

The clause deals with the form, signature, exchange, transfer and effect of debenture whenever money is borrowed by the Board. Sub-clause (2) of the clause provided that all debentures shall be signed by the Chairman and the Secretary. The Committee was of the view that this sub-clause might be so amended as to provide that the debentures might be signed by the Chairman and either by the Secretary or by one of the ex-officio members of the Board. The sub-clause has been amended accordingly.

Clause 106.

The clause provides for the approval of Government to estimates sanctioned by the Board. Sub-clause (1) provides that the Government might either approve, disallow or return for amendment every estimate within two months after the receipt of the same by them. The Committee was of the view that three months time should be provided. The sub-clause has been amended to this effect.

New clause 134.

The Committee decided to insert a new clause prescribing the duties of Police officers. A new clause 134 has therefore been inserted after clause 133 and clauses 134 and 135 renumbered as clauses 135 and 136, consequentially.

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Clause 136 (clause 137 as renumbered).

The clause deals with indemnity to Board, etc. The Committee decided to make provision for the protection of action taken in good faith. The clause has therefore been amended and renumbered as clause 137. Clauses 137 to 161 have also been renumbered as clauses 138 to 162.

6. All consequential changes have been made and the clauses have also been renumbered whenever necessary.

7. A copy of the Bill as amended and approved by the Select Committee is appended.

8. The Committee considers that the changes made by it are not of such important character as to require the republication of the Bill.

FORT ST. GEORGE, MADRAS,
21st January 1961.

R. VENKATARAMAN,
Chairman.

APPENDIX.

The Madras State Housing Board Bill, 1960 (L.A Bill No. 31 of 1960), as amended by the Select Committee.

[Note :—The changes made are sidelined or underlined and the positions omitted are indicated by dots.]

A Bill to provided for the execution of housing and improvement schemes, for the establishment of a State Housing Board and for certain other matters.

WHEREAS it is expedient to provide for the execution of housing and improvement schemes, for the establishment of a State Housing Board and for certain other matters hereinafter appearing; BE it enacted in the Twelfth Year of the Republic of India as follows :—

CHAPTER I.

PRELIMINARY.

1. *Short title, extent and commencement.*—(1) This Act may be called the Madras State Housing Board Act, 1961.

(2) It extends to the whole of the State of Madras.

(3) It shall come into force on such date as the Government may, by notification, appoint; and different dates may be appointed for different areas.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(1) “betterment fee” means the fee declared to be payable under section 73 in respect of an increase in the value of land resulting from the execution of a housing or improvement scheme;

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(2) " Board " means the Madras State Housing Board constituted under section 3;

(3) " Board premises " means any premises belonging to, or vesting in, the Board or taken on lease by the Board or any premises which is entrusted to, or in the possession or control of, the Board for the purposes of this Act;

(4) " Chairman " means the Chairman of the Board;

(5) " Committee " means any committee appointed under section 25;

(6) " competent authority " means any person or authority authorized by the Government, by notification, to perform the functions of the competent authority under Chapter XI for such area as may be specified in the notification;

(7) " Government " means the State Government;

(8) " Housing Board Engineer " means the Housing Board Engineer appointed under section 16;

(9) " housing or improvement scheme " means a scheme framed under this Act and includes any one of the types of Schemes referred to in section 40;

(10) " land " includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth;

(11) " member " means the the member of the Board;

(12) " premises " means any land or building or part of a building and includes—

(i) the garden, grounds and out-houses, if any, appertaining to such building or part of a building; and

(ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;

(13) " regulations " means the regulations made under this Act;

(14) " rules " means the rules made under this Act;

(15) " Secretary " means the Secretary appointed under section 16;

(16) " Tribunal " means the Tribunal constituted under section 79;

(17) " year " means the financial year.

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CHAPTER II.

CONSTITUTION OF THE BOARD.

3. *Creation and incorporation of the Board.*—The duty of carrying out the provisions of this Act shall, subject to the restrictions, conditions and limitations therein contained, be vested in a Board to be called “The Madras State Housing Board”; and such Board shall be a body corporate and have perpetual succession and a common seal, and shall by the said name sue and be sued.

4. *Constitution of the Board.*—(1) The Board shall consist of a Chairman, appointed by the Government, who possesses such qualifications as may be prescribed, and of the following members, namely :—

(a) four non-official members, appointed by the Government, one of whom shall be an engineer or architect, who possesses experience in housing and who is not employed by the Government, or a local authority or a corporation owned or controlled by the Government;

(b) The Member of the Board of Revenue in charge of Land Revenue, *ex-officio*;

(c) the Chief Engineer, Public Works Department, in charge of buildings, *ex-officio*;

(d) the Joint Director of Town-Planning, *ex-officio*;

(e) the Inspector of Municipal Councils and Local Boards, *ex-officio*;

(f) the Commissioner of Labour, *ex-officio*;

(g) the Commissioner, Corporation of Madras, *ex-officio*;

(h) the Registrar of Co-operative Societies, *ex-officio*;

(i) the Director of Harijan Welfare, *ex-officio*;

(j) the Director of Public Health, *ex-officio*;

(k) the Secretary to the Government in the Finance Department, *ex-officio*;

(l) the Superintending Engineer, Rural Housing Cell, *ex-officio*;

(m) an officer, nominated by the Development Commissioner, who is in charge of Rural Development and having jurisdiction throughout the State, *ex-officio*.

(2) If for any reason the officer referred to in clause (b), (c) or (k) of sub-section (1) is unable to attend any meeting of the Board, he may depute any officer subordinate to him to attend such meeting. The officer so deputed shall have the right to take part in the discussions of the Board, but shall not have the right to vote.

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5. *Appointment of the Chairman and the members to be notified.*—The appointment of the Chairman and the non-official members shall be notified in the *Fort St. George Gazette*.

6. *Term of office of the Chairman and non-official members.*—

(1) The Chairman and the non-official members shall hold office for a period of three years from the date of their appointment.

(2) The Chairman and the non-official members shall be eligible for re-appointment.

(3) Any non-official member may resign his office by giving notice in writing to the Government but he shall continue in office until his resignation is accepted by the Government.

7. *Disqualifications for appointment as a member of the Board.*—(1) A person shall be disqualified for being appointed as, and for being a member of the Board, if he—

(a) has been convicted by a criminal court for an offence involving moral turpitude, unless either such conviction has been set aside or in respect of the offence committed he has been pardoned;

(b) is an undischarged insolvent;

(c) is of unsound mind;

(d) is an officer or servant under the Board;

(e) has directly or indirectly, by himself or by any partner, employer or employee, any share or interest in any contract or employment with, by or on behalf of, the Board; or

(f) is a director or a secretary, manager or other officer of any incorporated company which has any share or interest in any contract or employment with, by or on behalf of, the Board.

(2) A person shall not, however, be disqualified under clause (e) or clause (f) of sub-section (1) or be deemed to have any share or interest in any contract or employment within the meaning of those clauses, by reason only of his, or the incorporated company of which he is a director, secretary, manager or other officer, having a share or interest in—

(i) any sale, purchase, lease or exchange of immovable property or any agreement for the same;

(ii) any agreement for the loan of money or any security for the payment of money only;

(iii) any newspaper in which any advertisement relating to the affairs of the Board is inserted;

(iv) the occasional sale to the Board, to a value not exceeding two thousand rupees in any one year, or any article in which he or the incorporated company regularly trades.

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(3) A person shall not also be disqualified under clause (e) or clause (f) of sub-section (1) or be deemed to have any share or interest in any incorporated company which has any share or interest in any contract or employment with, by or on behalf of, the Board, by reason only of his being a shareholder of such company :

Provided that such person discloses to the Government the nature and extent of the shares held by him.

Explanation.—For the purposes of clause (d) of sub-section (1), the Chairman shall not be deemed to be an officer or servant under the Board.

8. *Chairman to be whole-time officer.*—(1) The Chairman shall be a whole-time officer of the Board, and shall not undertake any work unconnected with his office without the sanction of the Government.

(2) He shall be paid such salary and allowances as may be fixed by the Government.

9. *Leave of absence for the Chairman and appointment of an acting Chairman.*—(1) The Government may, from time to time grant to the Chairman such leave as may be admissible under the rules.

(2) Whenever there is a temporary vacancy in the office of the Chairman, the Government may appoint a person to act as Chairman during the period of such vacancy and shall pay to such person such salary and allowances as may be fixed by them. The person so appointed shall be deemed for all purposes of this Act to be the Chairman.

10. *Removal of the Chairman and other non-official members.*—(1) If at any time it appears to the Government that the Chairman has shown himself to be unsuitable for his office, or has been guilty of any misconduct or neglect which renders his removal expedient, they may, by notification, remove the Chairman from office.

(2) The Government may, by notification, remove any non-official member from office—

(a) if he has, without the permission of the Board, been absent from the meetings of the Board for any period exceeding three consecutive months; or

(b) if he has been absent from the meetings of the Board for any period exceeding that permitted under sub-section (1) of section 11; or

(c) if he, being a legal practitioner, acts or appears on behalf of any person other than the Board in any civil, criminal or other legal proceedings in which the Board is interested, either as a party or otherwise; or

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(d) if he has, in the opinion of the Government, contravened the provisions of section 26; or

(e) if he, in the opinion of the Government, is unsuitable or has become incapable of acting as a member or has so abused his position as a member as to render his continuance as such member detrimental to the public interest.

(3) A non-official member removed under any of the provisions of clauses (a) to (c) of sub-section (2) shall be disqualified for appointment as a member for a period of three years from the date of his removal unless otherwise ordered by the Government.

(4) A non-official member removed under clause (e) of sub-section (2) shall not be eligible for re-appointment until he is declared by an order of the Government to be no longer ineligible.

11. *Filling up casual vacancies.*—(1) The Board may permit any non-official member to absent himself from its meetings for a period not exceeding six months.

(2) The casual vacancy in the office of a member who is permitted to be absent under sub-section (1) may be filled by the Government and any person appointed to fill such vacancy shall enter upon office forthwith but shall hold office only so long as the vacancy lasts :

Provided that the person so appointed is eligible for being appointed as a member to the office of the absent member in accordance with the provisions of section 4 and is not disqualified under section 7.

CHAPTER III.

TRANSFER OF THE ASSETS AND LIABILITIES OF THE CITY IMPROVEMENT TRUST TO THE BOARD.

12. *Transfer of assets and liabilities of the City Improvement Trust to the Board.*—(1) On the appointed day the Board of Trustees for the Improvement of the City of Madras (hereinafter referred to as the City Improvement Trust) shall stand dissolved and all its assets and liabilities shall stand transferred to and vested in the Board.

(2) The assets of the City Improvement Trust shall be deemed to include all rights and powers and all property, whether movable or immovable, belonging to or vested in the City Improvement Trust including in particular cash balances, reserve funds, investments, deposits and all other interests and rights in or arising out of such property as may be in the possession of the City Improvement Trust and all books of account or documents kept or maintained by the City Improvement Trust; and the liabilities of the City Improvement Trust shall be deemed to include all debts, liabilities and obligations of whatever kind then existing and pertaining to the City Improvement Trust.

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Explanation.—In this section and in sections 13, 14 and 15, “appointed day” means the date on which this Act comes into force in the City of Madras.

13. *Transfer of provident, superannuation and other like funds to the Board.*—(1) Where the City Improvement Trust has established a provident fund or superannuation fund or any other like fund for the benefit of its employees and constituted a trust in respect thereof (hereinafter referred to as the existing trust), the moneys standing to the credit of any such fund on the appointed day, together with any other assets belonging to such fund, shall, subject to the provisions of sub-section (2), stand transferred to and vested in the Board on the appointed day free from any such trust.

(2) The Board shall, as soon as may be after the appointed day, constitute in respect of the moneys and other assets which are transferred to and vested in it under sub-section (1), one or more trusts having objects as similar to the objects of the existing trusts as may be practicable.

(3) Where all the moneys and other assets belonging to the existing trust are transferred to and vested in the Board under sub-section (1), the trustees of such trust, shall, as from the appointed day, be discharged from the trust, except as respects things done or omitted to be done before the appointed day.

14. *Effect of vesting of assets and liabilities of the City Improvement Trust.*—(1) Unless otherwise expressly provided by or under this Act, all contracts, agreements and other instruments of whatever nature subsisting or having effect immediately before the appointed day and to which the City Improvement Trust is a party or which are in favour of the City Improvement Trust shall be of as full force and effect against or in favour of the Board, as the case may be, and may be enforced or acted upon as fully and effectually as if, instead of the City Improvement Trust, the Board had been a party thereto or as if they had been entered into or issued in favour of the Board.

(2) If on the appointed day any suit, appeal or other legal proceeding of whatever nature by or against the City Improvement Trust is pending, then, it shall not abate, be discontinued or be in any way prejudicially affected by reason of the transfer to the Board of the assets and liabilities of the City Improvement Trust or of anything done under this Act, but the suit, appeal or other legal proceeding may be continued, prosecuted and enforced by or against the Board.

Explanation.—For the purposes of this sub-section ‘legal proceeding’ includes any proceeding under the Land Acquisition Act, 1894 (Central Act I of 1894).

15. *Transfer of service of existing employees of the City Improvement Trust to the Board.*—(1) Every wholetime employee of the City Improvement Trust shall, on and from the appointed day, become an employee of the Board, and shall hold his office

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therein by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to gratuity, if any, and other matters as he would have held the same on the appointed day if this Act had not been passed, and shall continue to do so unless and until his remuneration, terms and conditions are duly altered by the Board.

(2) If any question arises as to whether any person was a whole-time employee of the City Improvement Trust immediately before the appointed day, the question shall be referred to the Government, whose decision shall be final.

(3) Notwithstanding anything contained in the Industrial Disputes Act, 1947 (Central Act XIV of 1947) or in any other law for the time being in force, the transfer of the services of any employee of the City Improvement Trust to the Board shall not entitle any such employee to any compensation under that Act or other law, and no such claim shall be entertained by any court, tribunal or other authority.

CHAPTER IV.

OFFICERS AND MEMBERS OF THE STAFF OF THE BOARD.

16. *Appointment of Secretary, Housing Board Engineer and other officers and servants of the Board.*—(1) The Board may appoint a Secretary, a Housing Board Engineer and such other officers and servants as it considers necessary for the efficient performance of its functions :

Provided that the appointment of the Secretary and the Housing Board Engineer shall be subject to the previous approval of the Government.

(2) Subject to the provisions of sub-section (1)—

(i) the Board may, with the previous approval of the Government, sanction the creation of, or appoint any person to any post the maximum monthly salary of which exceeds one thousand rupees;

(ii) the Board shall have power to create posts in its establishment, the maximum monthly salary of which does not exceed one thousand rupees and to appoint persons to such posts;

(iii) the Chairman may appoint any officer or servant whose maximum monthly salary does not exceed three hundred rupees :

Provided that in cases of emergency—

(a) the Chairman may appoint temporarily for a period not exceeding three months, such officers or servants as may, in his opinion, be required for the purposes of this Act and the employment of whom for any particular work has not been prohibited by any resolution of the Board; and

(b) every appointment made under clause (a) shall be reported by the Chairman to the Board at its next meeting.

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17. *Conditions of service of officers and servants of the Board.*—The remuneration and other conditions of service of the Secretary, Housing Board Engineer and other officers and servants of the Board shall be such as may be prescribed by regulations.

18. *Promotions and punishment of the officers and servants of the Board.*—(1) Subject to any regulations made under section 19, the power of making promotions to posts in the service of the Board, of granting leave to officers and servants holding such posts, of censuring, fining, withholding promotions from, reducing, suspending, removing or dismissing such officers and servants for any breach of departmental rules or discipline or for carelessness, unfitness, neglect of duty, or misconduct, and of discharging such officers and servants from the service of the Board for any other sufficient reason, shall be exercised by the following authorities, namely :—

(a) by the Chairman in the case of posts, the maximum monthly salary of which does not exceed three hundred rupees and the servants holding such posts;

(b) by the Board, in the case of posts, the maximum monthly salary of which exceeds three hundred rupees but does not exceed one thousand rupees and officers and servants holding such posts;

(c) by the Board, subject to the previous approval of the Government, in the case of posts the maximum monthly salary of which exceeds one thousand rupees and officers and servants holding such posts :

Provided that a servant of the Central or State Government or of a local authority, whose services have been lent to the Board, shall not be punished except by an authority which would have been competent to do so if his services had not been so lent, but the Chairman or the Board, as the case may be, shall be entitled to make an inquiry and to report against such servant to such authority.

(2) Any officer or servant of the Board who is aggrieved by an order passed under sub-section (1) may, within two months from the date of receipt by him of such order, appeal—

(a) to the Board, if the order was passed by the Chairman; and

(b) to the Government, if the order was passed by the Board.

19. *Service regulations.*—Subject to the provisions of this Act, the Board shall, with the previous approval of the Government, make regulations—

(a) fixing the salary and allowances of the Secretary, Housing Board Engineer and other officers and servants of the Board;

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(b) fixing the amount and nature of security to be furnished by any officer or servant from whom it may be deemed expedient to require security;

(c) for regulating the grant of leave of absence, leave allowances, and acting allowances to the officers and servants of the Board;

Provided that a servant of the Central or State Government employed as an officer or servant of the Board shall not be entitled to leave or leave allowances, otherwise than as laid down in the conditions of his service under the Central or State Government relating to transfer to foreign service;

(d) for establishing and maintaining a provident fund, for compelling all or any of the officers or servants other than servants of the Central or State Government in respect of whom a contribution is paid under section 150 to subscribe to the fund at such rates and subject to such conditions as may be prescribed, and for supplementing such subscriptions out of the funds of the Board;

(e) for determining the conditions under which the officers and servants or any of them shall on retirement receive gratuities or compassionate allowances and the amount of such gratuities and compassionate allowances.

20. *Maintaining schedule of establishment.*—The Board shall prepare and maintain a schedule of establishment before the 1st of May of every year, showing the number, designations and grades of the officers and servants (other than the employees who are paid by the day or whose pay is charged to temporary work), whom it considers necessary and proper to employ for the purposes of this Act, and also the amount and the nature of the salary, fees and allowances to be paid to each such officer or servant, contributions payable under section 150 in respect of each officer and servant, as on the 1st of April of the same year.

21. *Housing Units.*—(1) The Board shall establish a Housing Unit for the area comprising (i) the City of Madras and (ii) places situated within twenty-five miles of the limits of the City of Madras by the name "The Madras Housing Unit"; and the Board may, with the approval of the Government establish by resolution a Housing Unit for any other area for the efficient performance of its functions in that area.

(2) Every housing unit shall form part of the establishment of the Board and shall consist of such officers and servants as may be considered necessary by the Board.

(3) Every housing unit shall be in charge of an officer who shall be under the administrative control of the Chairman and shall also exercise such powers, and perform such duties and functions, as may be delegated to him by the Chairman under section 22.

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22. *Control and delegation by Chairman.*—(1) The Chairman shall exercise supervision and control over the acts and proceedings of all officers and servants of the Board, and, subject to the foregoing sections and subject also to such control and revision as may be prescribed, shall decide all questions relating to the service of the said officers and servants, and their salaries, allowances, benefits and privileges.

(2) The Chairman may, by general or special order in writing, delegate to any officer of the Board, any of his powers, duties or functions under this Act or any rules or regulations made thereunder, except those under sections 23, 89, 93, 104, 136 and 139;

Provided that—

(a) the Chairman shall not delegate his powers under sections 28 and 29 to incur expenditure and to approve estimates for any single work or scheme, the value of which exceeds twenty thousand rupees;

(b) the Chairman shall not delegate his powers under section 16 to make appointments to posts the maximum monthly salary of which exceeds one hundred rupees; and

(c) the Chairman shall not delegate any of his powers under section 18 to any officer in respect of any employee of the Board unless such employee was appointed by such officer or any subordinate of such officer, by virtue of a delegation of Chairman's power of appointment under section 16.

(3) The exercise or discharge by any officer of any powers, duties, or functions delegated to him under sub-section (2) shall be subject to such restrictions and limitations as may be imposed by the Chairman, and shall also be subject to his control and revision.

Explanation.—Against any order of the nature referred to in sub-section (2) of section 18 passed by an officer to whom the Chairman's power in that behalf has been delegated, an appeal shall lie to the Board, and if the Chairman has himself revised the order of such officer, an appeal shall lie to the Board against the order of the Chairman.

CHAPTER V.

CONDUCT OF BUSINESS OF THE BOARD AND ITS COMMITTEE.

23. *Meetings of the Board.*—(1) The Board shall meet at such times and places and shall, subject to the provisions of sub-sections (2) and (3), observe such rules of procedure in regard to transaction of business at its meetings (including the quorum at meetings) as may be prescribed by regulations:

Provided that the Board shall meet at least once in every month.

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(2) The Chairman or in his absence such member as may be chosen by the members present from among themselves shall preside at a meeting of the Board.

(3) All questions at any meeting of the Board shall be decided by a majority of the votes of the members present and voting and in the case of an equality of votes, the Chairman, or in his absence the person presiding shall have a second or casting vote.

(4) The proceedings of the meeting of the Board shall be forwarded to the Government in the department in charge of housing within seven days of every meeting.

24. *Temporary association of persons with the Board for particular purposes.*—(1) The Board may associate with itself in such manner and for such purpose as may be prescribed by regulations, any person whose assistance or advice it may desire in complying with any of the provisions of this Act:

Provided that the number of persons so associated shall not be more than five.

(2) A person associated with the Board under sub-section (1) for any purpose shall have the right to take part in the discussions of the Board relevant to that purpose, but shall not have the right to vote and shall not be named as a member for any other purpose.

(3) The Government may, by order, depute one or more officers of the Government to attend any meeting of the Board and to take part in the discussions of the Board, but such officer or officers shall not have the right to vote.

25. *Appointment and functions of Committees.*—(1) The Board may from time to time appoint Committees consisting of such number of persons as it may think fit for the purpose of discharging such duties or performing such functions, and on such terms and conditions as may be prescribed by regulations.

(2) The Chairman or such other person as he may nominate in this behalf shall be the president of the Committee and the Committee shall observe such rules of procedure in regard to transactions of business at its meetings as may be prescribed by regulations.

(3) All proceedings of the Committee shall be subject to confirmation by the Board.

26. *Members of Board or Committee or persons associated with the Board not to take part in proceedings in which they are personally interested.*—(1) A member or a person associated with the Board or a member of any Committee who—

(a) has directly or indirectly, by himself or by any partner, employer or employee, any such share or interest as is described in sub-section (1) of section 7 in respect of any matter, or

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(b) has acted professionally, in relation to any matter, on behalf of any person having therein any such share or interest as aforesaid,

shall not vote or take part in any proceeding of the Board or any Committee relating to such matter.

(2) If any member or any person associated with the Board under section 24 or any member of a Committee appointed under section 25 has, directly or indirectly, any beneficial interest in any land situated in an area comprised in any housing or improvement scheme framed under this Act, or in an area in which it is proposed to acquire land for any of the purposes of this Act—

(i) he shall at a meeting relating to such area of the Board or any Committee inform the person presiding of the nature of such interest, and

(ii) he shall not take part in any proceeding relating to such area at a meeting of the Board or any Committee.

(3) Nothing in sub-section (2) shall prevent any member or any person associated with the Board under section 24 or any member of a Committee appointed under section 25 from voting on, taking part in, the discussion of any resolution or question relating to any subject other than a subject referred to in that sub-section.

27. *Acts of the Board or Committee not to be invalidated by informality, vacancy, etc.*—No act done or proceeding taken under this Act by the Board or any Committee shall be invalidated merely on the ground—

(a) of any vacancy or defect in the constitution of the Board or the Committee; or

(b) of any defect or irregularity in the appointment of a person acting as a member thereof; or

(c) of any defect or irregularity in such act or proceeding not affecting the merits of the case.

CHAPTER VI.

POWERS OF BOARD AND CHAIRMAN TO INCUR EXPENDITURE ON SCHEMES AND ENTER INTO CONTRACTS.

28. *Powers of Board and Chairman to incur expenditure.*—Subject to budget provisions and availability of funds, expenditure may be incurred on any single work or scheme for carrying out any of the purposes of this Act—

(1) by the Chairman, in case such expenditure does not exceed fifty thousand rupees; and

(2) by the Board, in other cases :

Provided that the Board shall not, without the previous approval of the Government, incur any such expenditure exceeding ten lakhs of rupees.

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29. *Powers of Board and Chairman to approve estimates.*—The Board or the Chairman may accord approval to estimates for incurring expenditure on any work or scheme for carrying out any of the purposes of this Act subject to the like restrictions and conditions imposed on the Board or the Chairman, as the case may be, under section 28.

30. *Emergency powers of Chairman.*—The Chairman may, in cases of emergency, direct the execution of any work or the doing of any act which requires the sanction of the Board and the immediate execution or doing of which is, in his opinion necessary for the service or safety of the public and may also direct that the expenses of executing the work or of doing the act shall be paid from the funds of the Board :

Provided that—

(a) he shall not act under this section in contravention of any direction of the Board or the Government prohibiting the execution of any particular work or the doing of any particular act;

(b) he shall report the action taken by him under this section and the reasons therefor to the Board at its next meeting and shall also submit a copy of his report to the Government.

31. *Power to make and perform contracts.*—The Board may enter into and perform all such contracts as it may consider necessary or expedient for carrying out the purposes of this Act.

32. *Agreements and security deposits.*—(1) Every contract shall be made on behalf of the Board by the Chairman.

(2) The Chairman shall take sufficient security deposit for the due performance of the contract.

(3) Written agreements shall be executed for all contracts, the value of which exceeds five hundred rupees.

(4) Every contract made by the Chairman, the value of which exceeds ten thousand rupees, shall be reported to the Board at its next meeting.

33. *Further provisions as to execution of contracts and agreements.*—(1) Subject to the provisions of sections 31 and 32, the contracts or agreements shall be made or executed in accordance with such rules as may be prescribed.

(2) A contract or agreement made or executed in contravention of the provisions of this Act or the rules or regulations made thereunder shall not be binding on the Board.

34. *Signing of instruments by the Chairman, the Secretary or the Housing Board Engineer and the registration of such instruments.*—(1) The Chairman, or if authorized in writing by the Chairman in this behalf, the Secretary, or the Housing Board Engineer may sign on behalf of the Board any agreement or other instrument to be executed on behalf of the Board.

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(2) Notwithstanding anything contained in the Indian Registration Act, 1908 (Central Act XVI of 1908), it shall not be necessary for the Chairman, the Secretary or the Housing Board Engineer to appear in person or by agent at any registration office in any proceeding connected with the registration of any instrument executed by him in his official capacity or to sign as provided in section 58 of that Act.

(3) Where any instrument is so executed, the registering officer to whom such instrument is presented for registration may, if he thinks fit, refer to Chairman, Secretary or Housing Board Engineer for information respecting the same and shall, on being satisfied of the execution thereof, register the instrument.

CHAPTER VII.

HOUSING OR IMPROVEMENT SCHEMES.

35. *Power of the Board to undertake housing or improvement schemes and incur expenditure.*—(1) Subject to the provisions of this Act, the Board, from time to time, incur expenditure and undertake works for the framing and execution of such housing or improvement schemes as it may consider necessary.

(2) The Government may, on such terms and conditions as they may think fit to impose, transfer to the Board the execution of any housing or improvement scheme not provided for by this Act, and the Board shall thereupon undertake the execution of such scheme as if it had been provided for by this Act.

(3) The Board may, on such terms and conditions as may be agreed upon, take over for execution any housing or improvement scheme undertaken by a local authority and the Board shall execute such scheme as it had been provided for by this Act.

36. *Power of Government to transfer any land belonging to or vested in them or acquired under Madras Act XI of 1954 to the Board.*—Whenever the Government consider it expedient or necessary, for the purpose of clearance or improvement of any slum area, to transfer any land in such area belonging to or vested in them or acquired under the provisions of the Madras Slum Improvement (Acquisition of Land) Act, 1954 (Madras Act XI of 1954), they may do so on such terms and conditions as they may think fit to impose; and direct the Board to undertake the clearance or improvement of that area and to frame and execute such housing or improvement scheme under this Act as Government may specify and the Board shall thereupon undertake the same for execution as if it had been provided for . . . by this Act.

37. *Housing or improvement scheme when to be framed by the Board.*—A housing or improvement scheme may be framed by the Board on its own motion or at the instance of the Government or a local authority.

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33. *Board may agree or refuse to frame and execute a housing or improvement scheme.*—(1) The Board may agree to frame and execute a housing or improvement scheme at the instance of a local authority if the Board is satisfied that such scheme is necessary and the funds at its disposal permit the framing and the execution of such scheme or may refuse to frame and execute such scheme if it is satisfied that it is either unnecessary or not feasible or that it is otherwise unexecutable.

(2) Any local authority deeming itself aggrieved by the refusal of the Board under sub-section (1) may, within two months from the date of receipt of the order of such refusal appeal to the Government may pass such orders thereon as they fit and it shall be the duty of the Board to give effect to such orders accordingly.

39. *Matters to be provided by housing or improvement schemes.*—Notwithstanding anything contained in any other law for the time being in force, a housing or improvement scheme may provide for all or any of the following matters, namely :—

(a) the acquisition by purchase, exchange, or otherwise of any property necessary for or affected by the execution of the scheme;

(b) the laying or re-laying out of any land comprised in the scheme;

(c) the distribution or re-distribution of sites belonging to owners of the property comprised in the scheme;

(d) the closure or demolition of dwellings or portions of dwellings unfit for human habitation;

(e) the demolition of obstructive buildings or portions of buildings;

(f) the construction and reconstruction of buildings;

(g) the sale, lease or exchange of any property comprised in the scheme;

(h) the construction and alteration of roads, streets, back lanes, bridges, culverts and causeway;

(i) the draining water-supply and lighting of the streets included in the scheme;

(j) the provision of open parks, playing fields and open spaces for the benefit of any area comprised in the scheme or any adjoining area, and the enlargement of existing parks, playing fields, open spaces and approaches.

(k) the provision of sanitary arrangements required for the area comprised in the scheme, including the conservation of and prevention of injury or contamination to rivers or other sources and means of watersupply;

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(l) the provision of accommodation for any class of inhabitants;

(m) the advance of money for the purposes of the scheme;

(n) the provision of facilities for communication and transport;

(o) the collection of such information and statistics as may be necessary for the purpose of this Act :

(p) the reclamation or reservation of lands for markets, gardens, playing fields and afforestation;

(q) the provision of schools, parks, swimming pools, restaurants, shops, markets, fuel depots, laundries, hair dressing saloons and other amenities in the scheme; and

(r) any other matter for which in the opinion of the Government, it is expedient to make provision with a view to provide house accommodation and to the improvement of any area comprised in the scheme, or of any adjoining area or the general efficiency of the scheme.

Explanation.—For the purposes of this section, the Government may by notification, specify such area surrounding or adjoining the area included in a housing or improvement scheme to be the adjoining area.

40. *Types of housing or improvement schemes.*—Any housing or improvement scheme shall be of one of the following types, or combination of any two or more such types or of any special features thereof that is to say—

- (a) a house accommodation scheme;
- (b) a rebuilding scheme;
- (c) a rehousing or rehabilitation scheme;
- (d) a city or town or village expansion scheme;
- (e) a street scheme;
- (f) a deferred street scheme;
- (g) a land development scheme; and
- (h) a general improvement scheme.

41. *House accommodation scheme.*—(1) Whenever the Board is of opinion that it is expedient or necessary to meet the need for house accommodation in any area, the Board may frame a house accommodation scheme.

(2) Such scheme shall specify the layout of the area where the houses are to be constructed.

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(3) Such scheme may provide for the construction of houses and for the sale, leasing out or sale on hire purchase basis of any house so constructed.

(4) The Board may provide in the area roads, streets, drainage, water-supply, street lighting and other amenities.

42. *Re-building scheme*.—(1) Whenever it appears to the Board that any area is an insanitary area, within the meaning of section 48 and that having regard to the comparative value of the buildings in such area and of the sites on which they are erected, the most satisfactory method of dealing with the area or any part thereof is a rebuilding scheme, the Board may frame a rebuilding scheme for the whole area or any part of it in accordance with the provisions of this section.

(2) A rebuilding scheme may provide for—

(a) the reservation of roads, streets, lanes and open spaces, and the enlargement of existing roads, streets, lanes, and open spaces to such extent as may be necessary for the purposes of the scheme;

(b) the relaying out of the sites of the area upon roads, streets, lanes and open spaces so reserved or enlarged;

(c) the payment of compensation in respect of any such reservation or enlargement, and the formation of roads, streets, lanes and open spaces so reserved or enlarged;

(d) the reconstruction, alteration, or demolition of the existing buildings and their appurtenances by the owners or by the Board in default of the owners, and the erection of buildings in accordance with the scheme by the said owners, or by the Board in default of the owners, upon the sites as defined under the scheme;

(e) the advance to the owners, upon such terms and conditions as to interest, sinking fund, and other matters as may be provided under the scheme, of such sums as may be necessary to assist them to reconstruct or alter existing buildings or to erect new buildings in accordance with the scheme; and

(f) the acquisition by the Board of any site or building comprised in the area included in the scheme.

43. *Rehousing or rehabilitation scheme*.—Whenever the Board is of opinion that it is necessary for persons who—

(a) are displaced by the execution of any housing or improvement scheme sanctioned under this Act, or

(b) are likely to be displaced by the execution of any housing or improvement scheme which it is intended to frame under this Act, or

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(c) are surplus in any scheme area,

the Board may frame a rehousing scheme for the construction, maintenance, and management of such number of dwelling houses and shops as may be required, or may frame a rehabilitation scheme for providing such number of open plots with roads, streets and open spaces as may be necessary.

44. *City or town or village expansion schemes.*—(1) Whenever the Board is of opinion that it is expedient to control and provide for the future expansion or development of a city, town or village, the Board may frame an expansion scheme and specify the time-limit for the execution of such scheme.

(2) The expansion scheme may be framed in respect of an area which lies wholly within or wholly outside the limits of the city, town or village or in respect of an area which lies partly within and partly outside the city, town or village.

(3) Such scheme shall specify the proposed layout of the area to be developed and the purposes for which particular portions thereof are to be utilised.

(4) After any such scheme has come into force, no person shall, without the previous permission of the Board, erect, re-erect, add to, or alter any building or wall within the area comprised in the scheme.

(5) If the Board refuses to grant permission to any person to erect, re-erect, add to or alter any building or wall on his land in the area aforesaid, and does not proceed to acquire such land within one year from the date of such refusal, the Board shall pay reasonable compensation to such person, for any damage sustained by him in consequence of such refusal.

45. *Street scheme.*—(1) Whenever the Board is of opinion that for the purpose of—

- (a) providing building sites, or
- (b) remedying defective ventilation, or
- (c) creating new or improving existing means of communication and facilities for traffic; or
- (d) affording better facilities for conservancy,

It is expedient to layout new streets or alter existing streets (including bridges, causeways and culverts) in any area, the Board may frame a street scheme for such area.

(2) A street scheme may, within the limits of the area comprised in the scheme, provide for the following matters, namely :—

- (a) the acquisition of any land which, in the opinion of the Board, is necessary for the street scheme;

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(b) the re-laying out of all or any of the lands so acquired including the construction and reconstruction of buildings by the Board or by persons authorized by the Board in that behalf and the laying out, construction, and alteration of streets and thoroughfares;

(c) the drainage, water-supply and lighting of streets and thoroughfares so laid out, constructed or altered;

(d) the raising, lowering, or reclamation of any land vested in, or to be acquired, by the Board for the purposes of the scheme;

(e) the provision of open spaces for the better ventilation of the area comprised in the scheme; and

(f) the acquisition of any land adjoining any street, thoroughfare, or open space to be formed under the scheme.

46. *Deferred street scheme.*—(1) Whenever the Board is of opinion that it is necessary to provide for the ultimate widening of any street by altering the existing alignments of such street to improved alignments to be prescribed by the Board but that it is not necessary immediately to acquire all or any of the properties lying within the proposed improved alignments, the Board . . . may frame a "deferred street scheme" prescribing an alignment on each side of the street and specify the time-limit for the execution of such scheme.

(2) A deferred street scheme shall provide for the following matters, namely :—

(a) the acquisition of the whole or any part of any property lying within the prescribed street alignments within the time-limit specified in the scheme which may be extended by the Board from time to time :

Provided that such time-limit including the extensions granted by the Board shall in no case exceed twenty years from the date of sanction of the scheme;

(b) the re-laying out of all or any such property including the construction and reconstruction of buildings by the Board of by any other person, and the formation and alignment of the street;

(c) the draining, water-supply, and lighting of the streets so formed or altered.

(3) After a deferred street scheme has been sanctioned by the Board—

(a) no person shall, except with the written permission of the Board, erect, re-erect, add to or alter any building or wall so as to make the same project into the prescribed alignment of the street;

(b) if the Board fails to acquire or to institute proceedings for the acquisitions of any property within the prescribed alignment of any street within the time-limit specified in the scheme or

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extended by it, the owner of such property may, at any time thereafter, give the Board notice requiring it to acquire or to institute proceedings for the acquisition of such property before the expiration of six months from the date of such notice, and thereupon the Board shall acquire, or institute such proceedings and acquire the property accordingly; and if the Board fails to do so, it shall pay reasonable compensation to the owner for any damage sustained by him in consequence of such failure;

(c) before proceeding to acquire any property lying within the prescribed alignment of the street other than property regarding which it has received a notice under clause (b), the Board shall give six months' notice to the owner of its intention to acquire such property;

(d) notwithstanding anything contained in the Madras City Municipal Act, 1919 (Madras Act IV of 1919) or the Madras District Municipalities Act, 1920 (Madras Act V of 1920) or in any notification issued under section 206 of the Madras District Boards Act, 1920 (Madras Act XIV of 1920) or under section 125 of the Madras Village Panchayats Act, 1950 (Madras Act X of 1950) or under section 6 of the Madras Panchayats Act, 1958 (Madras Act XXXV of 1958), the Council of the Corporation of Madras, the Municipal Council, the District Board, the Village Panchayat, the panchayat or the Panchayat Union Council shall not have power to prescribe any alignment of the street within the limits of the scheme, and any such alignment previously prescribed within such limits shall cease to be the alignment of the street.

47. *Land development scheme*.—(1) Whenever the Board is of opinion that it is expedient to provide building sites . . . in any area, the Board may frame a land development scheme.

(2) Such scheme shall specify the proposed layout of the area to be developed and the purposes for which particular portions thereof are to be utilized.

(3) The Board may provide for roads, streets, open spaces, drainage, water-supply, and street-lighting and other amenities for the scheme area.

(4) The Board may lease out or sell, by outright sale or on hire-purchase basis, the building sites in the scheme area . . .

48. *General improvement scheme*.—Whenever it appears to the Board—

(a) that in any area, any buildings used or intended or likely to be used as dwelling houses are unfit for human habitation, or

(b) that danger to the health of the inhabitants of buildings in any area, or to buildings in the neighbourhood of such area is likely to be caused by—

(i) the narrowness, closeness, or bad arrangement or condition of streets or buildings or groups of buildings in such area, or

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(ii) the want of light, air, ventilation, or proper conveniences in such area, or

(iii) any other sanitary defects in such area, the Board may frame a General Improvement Scheme in respect of such area.

49. *Preparation, publication and transmission of notice as to housing or improvement schemes and supply of documents to applicants.*—(1) When any housing or improvement scheme has been framed, the Board shall prepare a notice to that effect and specify—

(a) the boundaries of the area comprised in the scheme; and

(b) the place or places at which particulars of the scheme, a map of the area, and details of the land which it is proposed to acquire and of the land in regard to which it is proposed to recover a betterment fee, may be seen at reasonable hours.

(2) The Board shall—

(a) cause the said notice to be published weekly for three consecutive weeks in the *Fort St. George*, and in two leading daily newspapers in the State, specifying the period up to which the objections will be received; and

(b) send a copy of the notice to the local authority concerned.

(3) The Chairman shall cause copies of all documents referred to in clause (b) of sub-section (1) to be delivered to any applicant on payment of the fee fixed by the Board.

50. *Transmission to the Board of representation by the concerned local authority as to housing or improvement scheme.*—The local authority to whom a copy of a notice has been sent under clause (b) of sub-section (2) of section 49 shall, within a period of sixty days from the receipt of the said copy, forward to the Board any representation which the local authority may wish to make regarding the scheme.

51. *Notice of proposed acquisition of land.*—(1) Within three weeks following the day on which any notice is first published under section 49 in respect of any housing or improvement scheme, the Board shall serve a notice in such form as may be prescribed on—

(a) every person whose name appears in the assessment list of the local authority concerned as being primarily liable to pay property tax on any building or land which . . . is proposed to be acquired in executing the scheme, or in regard to which the Board proposes to recover betterment fee, and

(b) the occupier (who need not be named) of every premises which the Board proposes to acquire in executing the scheme.

(2) A copy of the notice shall also be affixed in every such premises.

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(3) Every such notice shall be signed by the Chairman or by a person duly authorized by him in that behalf.

(4) Any person on whom a notice under sub-section (1) has been served may, within thirty days from the service of the notice, make a representation in writing to the Board stating his objections to the scheme.

52. *Furnishing of copies or extracts from the assessment book of the local authority.*—The executive officer of any local authority shall, at the request of the Chairman, furnish him with a copy of, or an extract from, the assessment list of the local authority.

.....

53. *Abandonment, modification or sanction of a housing or improvement scheme.*—(1) After considering the objections and representations, if any, received in pursuance of sub-section (2) of section 49, section 50 and sub-section (4) of section 51 and after hearing the persons who, have raised any such objections or made any such representations, desire to be heard, the Board may either abandon or modify or sanction the scheme, or apply to the Government for sanction with such modifications, if any, as the Board may consider necessary if the cost of the scheme exceeds ten lakhs of rupees.

(2) The Government may sanction with or without modification, or may refuse to sanction or may return for reconsideration any housing or improvement scheme, costing over ten lakhs of rupees submitted to them under sub-section (1).

(3) If a scheme returned for reconsideration under sub-section (2) is modified by the Board, it shall be republished in accordance with section 49—

(a) in every case in which the modification affects the boundaries of the area comprised in the scheme, or involves the acquisition of any land not previously proposed to be acquired; and

(b) in every other case, where the modification is, in the opinion of the Board, of sufficient importance to require republication.

54. *Publication of sanction of housing or improvement scheme.*—(1) Whenever the Board or the Government sanction a housing or improvement scheme, it shall be announced by notification :

Provided that whenever the Board sanctions a scheme with modifications, if any, it shall cause notice to that effect to be published weekly for two consecutive weeks in the *Fort St. George Gazette* and in two leading daily newspapers in the State.

(2) The publication of the notification or notice under sub-section (1) in respect of any scheme shall be conclusive evidence that the scheme has been duly framed and sanctioned.

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(3) Any person aggrieved by the decision of the Board sanctioning a housing or improvement scheme may, within thirty days from the date of last publication in the *Fort St. George Gazette* of the said scheme, appeal to the Government and the decision of the Government on such appeal shall be final and shall not be liable to be questioned in any court of law.

(4) The scheme shall come into force and shall have effect—

(a) where no appeal is preferred under sub-section (3), on and from the expiry of the thirty days referred to in that sub-section; and

(b) where such appeal is preferred, on and from the date of the decision of the Government on such appeal.

55. *The Board to execute housing or improvement schemes soon after sanction.*—As soon as may be after a housing or improvement scheme other than a deferred street scheme or expansion scheme has come into force, the Board shall proceed to execute the same.

56. *Alteration of a housing or improvement scheme after sanction.*—Any time after a housing or improvement scheme has been sanctioned by the Board or the Government, as the case may be, and before it has been carried out into execution the Board may alter or cancel it :

Provided that—

(a) if any alteration is likely to increase the estimated net cost of executing a scheme by more than ten per cent of the total cost, or if any altered scheme is likely to cost more than ten lakhs of rupees, the alteration shall not be made without the previous sanction of the Government;

(b) if any alteration involves the acquisition, otherwise than by agreement, of any land not previously proposed to be acquired in the original scheme, the procedure prescribed in the foregoing sections of this Chapter shall, so far as it may be applicable, be followed as if the alteration were a separate scheme;

(c) if, owing to any alteration, any land not previously liable under the scheme to the payment of a betterment fee, becomes liable to such payment, the procedure prescribed in sections 49, 50 and 51 shall so far as it may be applicable, be followed in regard to such land :

Provided further that no scheme, costing over ten lakhs of rupees, shall be cancelled under this section without the previous sanction of the Government.

Explanation.—For the purposes of this section, the word “alteration” shall be deemed to include a combination of two or more schemes framed or proposed to be framed and the expression “altered scheme” shall be deemed to include any scheme so combined.

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57. Transfer to Board for purposes of improvement scheme of building or land vested in local authority.—(1) Whenever any building or land or any street or any part thereof, which is situated within the jurisdiction of a local authority and is vested in such local authority, is within the area of any housing or improvement scheme, the Board shall give notice accordingly to that local authority and such building, land or street or any part thereof shall thereupon vest in the Board.

(2) Where any land situated within the jurisdiction of a local authority vests in the Board under the provisions of sub-section (1) and the Board makes a declaration that such land will be retained by the Board only until it reverts in the local authority as part of a street or an open space under section 63, no compensation shall be payable by the Board to the local authority in respect of that land.

(3) Where any land or building vests in the Board under the provisions of sub-section (1) and no declaration is made under sub-section (2) in respect of the land, the Board shall pay to the local authority as compensation, a sum equal to the market value of such land or building as on the date on which the scheme comes into force under section 54 and where any building situated on the land in respect of which a declaration has been made by the Board under sub-section (2) is vested in the Board under sub-section (1), like compensation shall be payable in respect of such building by the Board.

(4) If, in any case, where the Board has made a declaration in respect of any land under sub-section (2), the Board retains or disposes of the land contrary to the terms of the declaration, so that the land does not revert in the local authority, the Board shall pay, to the local authority, compensation in respect of such land in accordance with the provisions of sub-section (3).

(5) If any question or dispute arises as to whether compensation is payable under sub-section (3) or sub-section (4), or, as to the amount of such compensation or as to whether any building, land or street, or any part thereof, is required for the purposes of the scheme the matter shall be referred to the Government whose decision shall be final.

58. Transfer of private street or square to Board for purpose of housing or improvement scheme.—(1) Whenever any private street or square or part thereof which is not vested in the Board or in any local authority is required for executing any housing or improvement scheme, the Board shall cause to be affixed in a conspicuous place in or near such street or square or part, a notice signed by the Chairman and—

(a) stating the purpose for which the street or square or part thereof is required, and

(b) declaring that the Board will, on or after a date to be specified in the notice, take over charge of such street or square, or part from the owner thereof, and shall simultaneously send a copy of such notice to the owner of such street or square or part.

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(2) After considering the objections (if any), received in writing before the date specified under clause (b) of sub-section (1), the Board may take over charge of such street or square or part, and the same shall thereupon vest in the Board.

(3) When the Board alters or closes any private street or square or part thereof which has vested in it under sub-section (2), it shall pay reasonable compensation to the previous owner for the loss of his rights therein.

(4) If the alteration or closing or any such street or square or part causes damage or substantial inconvenience to owners of property adjacent thereto, or to residents in the neighbourhood, the Board shall forthwith provide some other reasonable means of access for the use of persons who were entitled to use such street or square or part as a means of access to any property, or place and if the provision of such means of access does not sufficiently compensate any such owner or resident for such damage or inconvenience, the Board shall also pay him reasonable compensation.

59. *Bar to application of certain laws of a local authority regarding closure.*—(1) Such of the provisions of the Madras City Municipal Act, 1919 (Madras Act IV of 1919), the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Madras District Boards Act, 1920 (Madras Act XIV of 1920), the Madras Village Panchayats Act, 1950 (Madras Act XXXV of 1950) as relate to maintenance or repairs of public street, closure of public street or parts thereof, diverting or turning public street or parts thereof and to disposal of the land which is no longer required when any public street is permanently closed, shall not apply to any street which is vested in the Board.

(2) Such of the provisions of the enactments specified in sub-section (1) as relate to temporary closure of streets, precautions during repairs of streets and prosecution against removal of bars and lights shall not apply to the Board when any drain or premises vested in the local authority is opened or broken up by the Board or any public street is under construction by the Board.

60. *Repairs of streets vested in the Board.*—Whenever the Board allows any street vested in it to be used for public traffic, it shall keep the street in good repair and do all things necessary for the safety and convenience of persons using it.

61. *Transferring streets laid out or altered and open spaces provided by the Board under a housing or an improvement scheme.*—(1) The Board may hand over any road or street to the local authority concerned after giving a month's notice, when—

(a) any such road or street laid out or altered by the Board has been duly levelled, metalled, flagged, channelled, sewered and drained in the manner provided in the scheme sanctioned by the Board or the Government under section 53;

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(b) lamp posts, necessary for the lighting of such streets have been provided by the Board; and

(c) water and other sanitary conveniences have been duly provided in such streets.

(2) The local authority concerned, after receiving the notice from the Board under sub-section (1), declare the street to be a public street; and the street shall thereupon vest in the local authority; and shall thenceforth be maintained, kept in repair, lighted and cleansed by the local authority.

(3) When any open space for the purposes of ventilation or recreation has been provided by the Board in executing any housing or improvement scheme, it shall, on completion, be transferred to the local authority concerned by a resolution of the Board and it shall thereupon vest in the local authority concerned and thereafter be maintained by that local authority at its expense.

Provided that the local authority may require the Board before any such open space is so transferred to enclose, level, turf, drain, and layout such space and provide foot-path therein, and if necessary to provide lamps and other apparatus for lighting it.

(4) If any difference of opinion arises between the Board and the local authority in respect of any matter referred to in the foregoing provisions of this section, the matter shall be referred to the Government whose decision shall be final.

62. *Prevention or restriction of traffic in street vested in the Board, during progress of work.*—(1) When any work which may lawfully be done, is being executed by the Board in any street vested in it, the Board may direct that such street shall, during the progress of such work, be either wholly or partially closed to traffic generally or to traffic of any specified description.

(2) When any such direction has been given, the Board shall set up in a conspicuous position in or near the street an order prohibiting traffic to the extent so directed, and fix such bars, chains, or posts across or in the street as it may think proper for preventing or restricting traffic therein.

63. *Provision of facilities when work is executed by the Board in public streets vested in it.*—(1) When any work is being executed by the Board in any public street vested in it, the Board shall, so far as may reasonably be practicable, make adequate provision for—

(a) the passage or diversion of traffic;

(b) securing access to all premises approached from such street; and

(c) any drainage, water-supply, or means of lighting, which is interrupted by reason of the execution of the work.

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(2) The Board shall pay reasonable compensation to any person who sustains special damage by reason of the execution of any such work.

64. *Power of the Board to turn or close public street or square vested in it.*—(1) The Board may—

(a) turn, divert, discontinue the public use of, or permanently close any public street vested in it or any part thereof; or

(b) discontinue the public use of, or permanently close any public square vested in it or any part thereof.

(2) Whenever the Board discontinues the public use of or permanently closes any public street vested in it or any part thereof, it shall pay reasonable compensation to every person who was entitled, otherwise than as a member of the public, to use such street or part as means of access, and has suffered damage from such discontinuance or closing.

(3) Whenever the Board discontinues the public use of or permanently closes, any public square vested in it, or any part thereof, it shall pay reasonable compensation to every person who was entitled, otherwise than as a member of the public, to use such square or part as a means of access.

(4) When any public street or square vested in the Board, or any part thereof, is permanently closed under sub-section (1), the Board may sell or lease so much of the same as is no longer required.

65. *Power of the Board to retain lanes not meant for vehicular traffic.*—Notwithstanding anything contained in section 63, the Board may retain any lane (not meant for vehicular traffic) and may enter into an agreement with the local authority concerned or any other person for the supervision, repair, lighting and general management of any lane so retained.

66. *Other duties of the Board.*—It shall also be the duty of the Board to take measures with a view—

(1) to plan and co-ordinate all housing activities in the State, and to ensure expeditious and efficient implementation of housing or improvement schemes in the State;

(2) to provide technical advice and scrutinise all projects under housing or improvement schemes sponsored or assisted by the Central or State Government;

(3) to maintain, allot, lease and otherwise use plots, buildings, and other properties of the Board or the Government, and to collect rents from the properties under the control and management of the Board, and repay loans to the State and Central Governments;

(4) to set up a research section in collaboration with the National Buildings Organization for the purpose of expediting the construction of, and cheapening the cost of buildings; and

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(5) to organize and run a Central Stores for manufacture, sale, stockpiling and supply of building materials, required for housing or improvement schemes.

67. *Supervision and centage charges.*—The Board may include in the cost of any housing or improvement scheme framed by it or any other work undertaken by it, supervision and centage charges at such rates as may be fixed by it:

Provided that the rate so fixed shall not be more than twelve and a half per cent of the cost of the scheme or work.

68. *Power of Government to call for the records of the Board and to modify, annul, etc., of housing of improvement schemes.*—

(1) Notwithstanding anything contained in the foregoing provisions of this Chapter, the Government may, at any time in the case of any housing or improvement scheme, which is proposed to be framed or which has been framed by the Board or which is being executed by it, call for and examine the records of the Board relating to such scheme and if, after making the examination and after considering the representations, if any, of the Board and the local authority concerned, it appears to the Government that such scheme should be modified, annulled or remitted for reconsideration to the Board or that such scheme should be executed with modifications, they may pass orders accordingly.

(2) The Government may stay the execution of any such scheme pending the exercise of their powers under sub-section (1) in respect thereof.

(3) Any housing or improvement scheme which has already come into force but has been modified by the Government under sub-section (1) shall have effect as if it had been duly sanctioned by the Board under section 53. The scheme as modified shall be published in accordance with the provisions of section 54 and on such publication the scheme so modified shall come into force and shall have effect.

69. *Power to exempt.*—The Government may, by notification, exempt, subject to such conditions and restrictions as may be specified in such notification, any housing or improvement scheme, or class of housing or improvement schemes from all or any of the provisions of this Chapter.

CHAPTER VIII.

ACQUISITION AND DISPOSAL OF LAND.

70. *Power to acquire land under the Land Acquisition Act.*—Any land or any interest therein required by the Board for any of the purposes of this Act may be acquired under the provisions of the Land Acquisition Act, 1894 (Central Act I of 1894).

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71. *Power to purchase or lease by agreement.*—The Board may enter into agreement with any person for the acquisition from him by purchase, lease or exchange, of any land or any interest therein which may be acquired under section 70 :

Provided that if the value of such land or interest exceeds fifty thousand rupees, the Board shall not enter into such agreement without the previous approval of the Government.

72. *Power to dispose of land.*—(1) The Board may retain or may lease, sell, exchange or otherwise dispose of any land vested in or acquired by it under this Act.

(2) Whenever the Board decides to lease or sell any land acquired by it under this Act from any person, it—

(a) shall give notice by advertisement in one of the leading local newspapers in the State, and

(b) shall offer to the said person, or his heir, executors or administrators, a prior right to take on lease or to purchase such land for an amount or at rate to be fixed by the Board. If the Board considers that such an offer can be made without detriment to the carrying out of the purposes of this Act.

(3) If in any case two or more persons claim to have the prior right referred to in clause (b) of sub-section (2), preference shall be given to the person who agrees to pay the highest amount or rate for the land, not being less than the amount or rate fixed by the Board under that clause.

CHAPTER IX.

LEVY, ASSESSMENT AND RECOVERY OF BETTERMENT FEE.

73. *Payment of betterment fee.*—(1) When by the execution of a housing or improvement scheme, any land in the area comprised in the scheme which is not required for the execution thereof will in the opinion of the Board, be increased in value, the Board in framing the scheme, may declare that betterment fee shall be payable by the owner of the land or any person having an interest therein in respect of the increase in value of the land resulting from the execution of the scheme.

(2) Such increase in value shall be the amount by which the value of the land on the completion of the execution of the scheme estimated as if the land were clear of buildings, exceeds the value of the land prior to the execution of the scheme estimated in the like manner; and the betterment fee shall be one-third of such increase in value.

(3) The Board may, with the previous approval of the Government, declare that such betterment fee shall also be payable in respect of any land not comprised in the scheme but is adjacent to the area comprised in the scheme if such land will be increased in value consequent on the execution of a housing or improvement scheme in the area comprised in the scheme.

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74. *Assessment of betterment fee by the Board and notice to persons liable to such fee.*—(1) When it appears to the Board that a housing or improvement scheme is sufficiently advanced to enable the amount of the betterment fee to be determined, the Board shall by a resolution passed in this behalf declare that for the purpose of determining such fee the execution of the scheme shall be deemed to have been completed and shall thereupon give notice in writing to every person on whom a notice in respect of land to be assessed has been served under clause (a) of sub-section (1) of section 51, or to the successor-in-interest of such person, as the case may be, that the Board proposes to assess the amount of the betterment fee payable in respect of such land under section 73.

(2) The Board shall then assess the amount of betterment fee payable by each person concerned after giving such person an opportunity to be heard and such person shall within one month from the date of receipt of notice in writing whether or not he accepts the assessment.

(3) When the assessment proposed by the Board is accepted by the person concerned within the period specified in sub-section (2), such assessment shall be final.

(4) If the person concerned does not accept the assessment made by the Board or fails to inform the Board as required under sub-section (2) within the period specified therein, the matter shall be referred to the Tribunal.

(5) The Tribunal shall, after holding an inquiry, and after hearing the person concerned, assess the amount of betterment fee payable by the person.

75. *Board to give notice to persons liable to payment of betterment fee.*—When the amount of all betterment fees payable in respect of land in the area comprised in the scheme and in respect of land not comprised in the scheme area but is adjacent to the area comprised in the scheme referred to in sub-section (3) of section 73 has been determined under section 74, the Board shall, by a notice in writing to be served on all persons liable to such payment, fix a date by which such payments shall be made, and interest at the rate of four and a half per cent per annum upon any amount outstanding shall be payable from the date :

Provided that any person liable as aforesaid may make payment, if he so chooses, in such number of . . . annual instalments not exceeding ten as the Board may determine. . . .

76. *Agreement to make betterment fee a charge on land.*—(1) Any person liable to pay a betterment fee in respect of any land may, at his option, instead of paying the same to the Board, execute an agreement with the Board to leave the payment outstanding as a charge on his interest in the land, subject to the annual payment

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in perpetuity of interest at the rate of six per cent per annum, the first annual payment of such interest to be made one year from the date referred to in section 75. . . .

(2) Every payment due from any person in respect of a betterment fee and every charge referred to in sub-section (1) shall, notwithstanding anything contained in any other enactment and notwithstanding the existence of any mortgage, or other charge whether legal or equitable, created either before or after the commencement of this Act, be the first charge upon the interest of such person in such land subject to the prior payment of land revenue, if any, due to the Government on such land.

(3) If any instalment of interest due under an agreement executed in pursuance of sub-section (1) be not paid on the date on which it is due, the betterment fee shall become payable on that date, in addition to the said instalment.

(4) At any time after an agreement has been executed in pursuance of sub-section (1) any person may pay off the charge created thereby, with the interest due up to the date of such payment.

(5) When an agreement in respect of any land has been executed by any person in pursuance of sub-section (1), no suit with respect to such agreement shall be brought against the Board by any other person (except an heir, executor or administrator of the person first aforesaid) claiming to have an interest in the land.

77. *Recovery of moneys payable in pursuance of sections 73, 75 and 76.*—All moneys payable in respect of any land by any person in respect of a betterment fee under section 73 or section 75 or by any person under an agreement executed in pursuance of sub-section (1) of section 76 shall, together with interest due up to the date of realization, be recoverable by the Board from the said person or his successor in interest in such land, as an arrear of land revenue.

78. *Agreement or payment of betterment fee not to bar acquisition under fresh declaration.*—If any land in respect of which the payment of a betterment fee has been accepted in pursuance of sub-section (3) of section 74 or in respect of which an agreement regarding the betterment fee has been executed under section 76, be subsequently required for any of the purposes of this Act, the payment or agreement shall not be deemed to prevent the acquisition of the land under the Land Acquisition Act, 1894 (Central Act I of 1894).

CHAPTER X.

CONSTITUTION OF TRIBUNAL AND ITS FUNCTIONS.

79. *Constitution of a Tribunal for certain purposes.*—(1) Notwithstanding anything contained in the Land Acquisition Act, 1894 (Central Act I of 1894), the Government may constitute a

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Tribunal for the purpose of performing the functions of the Court with reference to the acquisition to land for the Board under the said Act, for deciding disputes relating to levy or assessment of betterment fee and for deciding such other matters as may be prescribed.

(2) The Tribunal shall consist of one person only who shall be a judicial officer not below the rank of Subordinate Judge.

(3) The Tribunal shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (Central Act V of 1908).

80. *Officers and servants of the Tribunal.*—The Tribunal may, with the previous sanction of the Government, appoint such officers and servants as it considers necessary for carrying on its business, and the remuneration and other conditions of service of such officers and servants shall be such as may be prescribed.

81. *Payments by Board on account of Tribunal.*—The amount necessary for the payment of remuneration, salaries, allowances and other contributions payable to the judicial officer appointed as the Tribunal and of the officers and servants of the Tribunal shall be paid out of the funds of the Board.

82. *Awards and decisions of Tribunal to be final.*—Notwithstanding anything to the contrary in the Land Acquisition Act, 1894 (Central Act I of 1894), the award of the Tribunal in relation to the acquisition of land shall be deemed to be the award of the Court under the said Act, and any such award and any decision of the Tribunal on any matter referred to it under this Act shall be final and shall not be liable to be questioned in any court of law.

83. *Awards and orders of Tribunal to be executed by civil courts.*—Every award of the Tribunal and every order made by the Tribunal for the payment of money for the delivery of possession or removal of any structure shall be enforced in the Presidency Town, by the Madras City Civil Court, and elsewhere by the Subordinate Judge's Court having jurisdiction over the area in which the land concerned in the proceeding of the Tribunal is situated as if it were the decree of the said court.

CHAPTER XI.

POWER TO EVICT PERSONS FROM BOARD PREMISES.

84. *Power to evict certain persons from Board premises.*—(1) If the competent authority is satisfied—

(a) that the person authorised to occupy any Board premises has—

(i) not paid rent lawfully due from him in respect of such premises for a period of more than two months; or

(ii) sub-let, without the permission of the Board, the whole or any part of such premises; or

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(iii) otherwise acted in contravention of any of the terms express or implied, under which he is authorized to occupy such premises; or

(b) that any person is in unauthorized occupation of any Board premises,

the competent authority may, notwithstanding anything contained in any law for the time being in force, by notice served (i) by registered post or (ii) by affixing a copy of it on the outer door or some other conspicuous part of such premises, or (iii) in such other manner as may be prescribed, order that the person authorized to occupy as well as any other person who may be in occupation of the whole or any part of the premises shall vacate them within one month of the date of the service of the notice.

(2) Before an order under sub-section (1) is made against any person, the competent authority shall inform the person, by notice in writing and served in the manner provided for service of notice under sub-section (1), of the grounds for which the proposed order is to be made and give him a reasonable opportunity of tendering an explanation and producing evidence, if any, and to show cause why such order should not be made within a period to be specified in such notice.

(3) The competent authority may, on application, grant extension of the period specified in such notice on such terms as to payment and recovery of the amount claimed in the notice as he deems fit.

(4) Any written statement put in by such person and documents produced in pursuance of such notice shall be filed with the records of the case, and such person shall be entitled to appear in the proceeding either in person or by pleader.

(5) If any person refuses or fails to comply with an order made under sub-section (1), the competent authority may evict that person from, and take possession of, the premises and may for that purpose use such force as may be necessary.

(6) If a person, who has been ordered to vacate any premises under sub-clause (i) or (ii) of clause (a) of sub-section (1) within one month of the date of service of the notice or such longer time as the competent authority may allow, pays to the Board the rent in arrears or carries out or otherwise complies with the terms contravened by him to the satisfaction of the competent authority, as the case may be, the competent authority shall, in lieu of evicting such person under sub-section (5), cancel its order made under sub-section (1), and thereupon such person shall hold the premises on the same terms on which he held them immediately before such notice was served on him.

Explanation.—For the purposes of this section and section 85, the expression “unauthorized occupation.” in relation to any person authorized to occupy any Board premises, includes the continuance in occupation by him or by any person claiming through or under him of the premises after the authority under which he was allowed to occupy the premises has been duly determined.

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Explanation.—For the purposes of this section, the Reserve Bank of India shall mean the Reserve Bank of India constituted under the Reserve Bank of India Act, 1934 (Central Act II of 1934) and a scheduled bank shall mean a bank included in the Second Schedule to the said Act.

90. Subventions and loans to the Board.—The Government may from time to time, make subventions or advance loans to the Board for the purposes of this Act on such term and conditions as the Government may determine.

91. Power of the Board to borrow and lend.—(1) Subject to the provisions of this Act, the Board may, from time to time, with the previous approval of the Government, borrow money required for the purposes of this Act from the public or from any corporation owned or controlled by the Central or State Government.

(2) Whenever the borrowing of any sum of money has been approved by the Government, the Board may, instead of borrowing such sum or any part thereof from the public, take credit from any bank or any corporation owned or controlled by the Central or State Government on a cash account to be kept in the name of the Board to the extent of such sum or part thereof, and may, with the previous sanction of the Government grant mortgages of all or any of the properties vested in the Board by way of security for such credit.

(3) Subject to such conditions and limitations as may be prescribed and with the previous approval of the Government, the Board may, for the promotion and execution of any housing or improvement scheme under this Act, enter into financial arrangements with any bank or other financial institutions approved by the Government or with the Life Insurance Corporation of India established under section 3 of the Life Insurance Corporation Act, 1956 (Central Act 31 of 1956).

(4) Subject to the provisions of this Act, and to such conditions and limitations as may be prescribed, the Board may out of its funds grant loans and advances on such terms and conditions as it may determine, to any co-operative society registered or deemed to be registered under the law relating to co-operative societies for the time being in force in the State of Madras or to any other person for the construction of houses.

92. Guarantee by Government of loans.—The Government may guarantee in such manner as they think fit, the payment of the principal and interest of any loan proposed to be raised by the Board on debentures or of either the principal or the interest.

Provided that the Government shall, so long as any such guarantees are in force, lay before both . . . Houses of the Legislature in every year during the budget session, a statement of the guarantees, if any, given during the current year and an up-to-date account of the total sums, if any, which have been paid out of the Consolidated Fund of the State by reason of any such guarantees or paid into the said Fund towards repayment of any money so paid out.

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93. Form, signature, exchange, transfer and effect of debentures.—(1) Whenever money is borrowed by the Board on debentures, the debentures shall be in such form as the Board may wish, the previous sanction of the Government specifying the form.

(2) All debentures shall be signed by the Chairman and either by the Secretary or by any one of the ex-officio members of the Board.

(3) The holder of any debenture in any form specified under sub-section (1) may obtain in exchange therefor a debenture in any other form specified in the manner provided in sub-section (1) and upon such terms as the Board may determine.

(4) Every debenture issued by the Board shall be transferable by endorsement, unless some other mode of transfer is specified therein.

(5) All coupons attached to debentures issued under this Act shall bear the signature of the Chairman; and such signature may be engraved, lithographed, or impressed by any mechanical process.

94. Payments to survivors of joint payees.—When any debenture or security issued or granted under this Act is payable to two or more persons jointly, and either or any of them dies, then, notwithstanding anything contained in section 45 of the Indian Contract Act, 1872 (Central Act IX of 1872), the debenture or security shall be payable to the survivor or survivors of such persons :

Provided that nothing in this section shall affect any claim by the representative of the deceased person against such survivor or survivors.

95. Receipt by joint holder for interest or dividend.—Where two or more persons are joint holders of any debenture or security issued or granted under this Act, any payment made to the first mentioned person therein of any dividend or interest payable in respect of such debenture or security shall be a full discharge of the liability of the Board in respect of such dividend or interest.

96. Priority of payments for interest and repayment of loans.—All payments due from the Board for interest on, or the repayment of, loans, shall be made in priority to all other payments due from the Board.

97. Repayment of loans taken under section 91.—Every loan taken by the Board shall be repaid by the Board within the period agreed upon by the Board and subject to the provisions of sub-section (2) of section 114 of such of the following methods as may be approved by the Government namely :—

(a) form a sinking fund established under section 98 in respect of the loan; or

(b) by paying in equal yearly or half-yearly instalments of principal or of principal and interest, throughout the said period; or

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(3) Every such estimate shall differentiate capital and revenue funds, and shall be prepared in such form, and shall contain such details, as the Government may, from time to time, prescribe.

(4) Every such estimate shall be completed and printed and a copy thereof sent, by post or otherwise to each member at least ten clear days before the date of the meeting at which the estimate is to be laid before the Board.

(5) A revised budget, if any, including all the expenditure not covered in the original budget estimate, shall be laid before the Board at a special meeting to be held in the month of December in each year.

105. Sanction of the Board to estimates.—The Board shall consider every estimate so laid before it and shall sanction the same, either without modification or with such modification as it may think fit.

106. Approval of Government to estimate.—(1) Every such estimate, as sanctioned by the Board, shall be submitted to the Government who may, at any time within three months after receipt of the same—

(a) approve the estimate, or

(b) disallow the estimate or any portion thereof, and return the estimate to the Board for amendment.

(2) If any estimate is so returned to the Board, it shall forthwith proceed to amend it and shall resubmit the estimate as amended to the Government who may then approve it.

107. Supplementary estimate.—(1) The Board may, at any time, during the year for which any estimate has been sanctioned, cause a supplementary estimate to be prepared and laid before it at a special meeting.

(2) The provisions of sub-sections (3) and (4) of section 104 and of sections 105 and 106 shall apply to every supplementary estimate.

108. Adherence to estimate and maintenance of closing balance.—(1) No sum shall be expended by or on behalf of the Board unless the expenditure of the same is covered by a current budget grant or can be met by a reappropriation or by drawing on the closing balance.

(2) The closing balance shall not be reduced below such limit as may be fixed in this behalf by the Government, from time to time.

(3) The following items shall be exempted from the provisions of sub-sections (1) and (2), namely :—

(a) refund of moneys belonging to contractors or other persons held in deposit, and of moneys collected by, or credited to, the Board by mistake;

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(b) payments due under a decree or order of a court or under an award of the Tribunal;

(c) sums payable under a compromise of any suit or other legal proceeding or claim effected under this Act;

(d) sums payable under this Act by way of compensation; and

(e) payments required to meet any pressing emergency.

(4) Whenever any sum exceeding ten thousand rupees is expended under clause (e) of sub-section (3), the Chairman shall forthwith report the circumstances to the Board explaining how it is proposed to cover the expenditure.

109. Definition of "Cost of management".—(1) The expression "cost of management" as used in the following sections in this Chapter means—

(a) the salary and house-rent and conveyance allowance, if any, of the Chairman, Secretary, the Housing Board Engineer, and any other allowances and any contributions payable to or in respect of them;

(b) the salaries, fees and allowances and contributions paid in respect of officers and servants of the Board referred to in sections 8, 9, 16, 18 and 21;

(c) the remunerations of other employees of the Board except employees who are paid by the day or whose pay is charged to temporary work;

(d) all payments made under section 81 on account of the Tribunal; and

(e) all office expenses incurred by the Board or the Tribunal.

(2) The expression "office expenses" in clause (e) of sub-section (1) means expenses incurred for carrying on office work, and includes the rent of office buildings, the provision of furniture therefor, charges for printing and stationery, catering charges incurred in connection with meetings and conferences held by or on behalf of the Board and contributions towards welfare and recreation of the Board's staff.

110. Keeping of capital account and revenue account.—(1) The Board shall keep a capital account and a revenue account.

(2) The capital account shall show separately all expenditure incurred by the Board on each housing or improvement scheme.

111 Credits to capital account.—There shall be credited to the capital account—

(a) all sums (except interest) received by way of betterment fees under this Act;

(b) all moneys received on account of loans taken by the Board in pursuance of this Act;

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(c) all moneys received as grants by the Board for purposes of this Act, from the Central or State Government;

(d) all moneys received by the Board on account of repayment of loans and advances granted under section 91;

(e) the proceeds of the sale of any land belonging to the Board which was purchased out of any such loans or grants;

(f) where any land was purchased out of an advance from the revenue account, the portion of the proceeds of the sale of such land which remains after crediting to the revenue account the amount of such advance;

(g) the proceeds of the sale of any movable property (including securities for money invested from the capital account) belonging to the Board;

(h) all lump sums received from any Government in aid of the capital account;

(i) all moneys received by the Board in connection with leases for any term exceeding forty years;

(j) all sums, if any, which the Government direct, under sub-section (2) of section 114, to be credited to the capital account; and

(k) all money realised from the sale of securities by direction of the Government under section 115.

112. Application of capital account.—The moneys credited to the capital account shall be held by the Board in trust and shall be applied to—

(a) meeting all costs of framing and executing housing or improvement schemes;

(b) meeting the cost of acquiring lands for carrying out any of the purposes of this Act;

(c) meeting the cost of constructing buildings required for carrying out any of the purposes of this Act;

(d) the repayment of loans from money borrowed in pursuance of this Act;

(e) granting of loans and advances under section 91;

(f) making payments in pursuance of section 148 otherwise than for interests or for expenses of maintenance of working;

(g) making or contributing towards the cost of surveys in pursuance of section 146;

(h) meeting such proportion of the cost of management as may be prescribed by the Board; and

(i) temporarily making good the deficit, if any, in the revenue account at the end of any year.

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113. Credits to revenue account.—There shall be credited to the revenue account—

(a) all interest received in pursuance of section 76 or section 77;

(b) all annually recurring sums received from the Central or State Government in aid of the funds of the Board;

(c) all compensations received by the Board under section 131;

(d) all moneys received by the Board in connection with leases for any term not exceeding forty years;

(e) all rents of land vested in the Board;

(f) all rents of buildings vested in the Board;

(g) the supervision and centage charges obtained by the Board under section 67;

(h) all interest on loans and advances granted by the Board under section 91; and

(i) all other receipts by the Board which are not required by section 111 to be credited to the capital account.

114. Application of revenue account.—(1) The moneys credited to the revenue account shall be held by the Board in trust, and shall be applied to—

(a) payment of all charges or payments towards interest or sinking fund due on account of any loan taken in pursuance of this Act, and all other charges incurred in connection with such loans;

(b) payment of all sums due from the Board in respect of rates and taxes imposed by the local authority concerned, upon the land vested in the Board;

(c) payment of cost, if any, of maintaining a separate establishment for the collection of rents and other proceeds of land vested in the Board;

(d) payment of all sums towards the cost of establishment of the Tribunal under section 81;

(e) payment of all sums which the Government may direct to be paid to any auditor under section 121;

(f) payment of the cost of the management excluding such proportion thereof as may be debited to the capital account under clause (h) of section 112; and

(g) payment of all other sums due from the Board, other than those which are required by section 112 to be disbursed from the capital account.

(2) The surplus, if any, remaining after making the payments referred to in sub-section (1) shall, subject to the maintenance of a closing balance as required by sub-section (2) of

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section 108, be invested in the manner laid down in section 100 towards the service of any loans outstanding after the expiry of sixty years from the commencement of this Act, unless the Government otherwise direct.

115. Power to direct sale of securities in which any surplus of the revenue accounts is invested.—If at any time after any surplus referred to in sub-section (2) of section 114 has been invested, the Board is satisfied that the investment is not needed for the service of any loan referred to in that sub-section, the Board may, with the approval of the Government, sell the securities held under the investment.

116. Advances from revenue account to capital account.—(1) Notwithstanding anything contained in section 114, the Board may advance any sum standing at the credit of the revenue account for the purpose of meeting capital expenditure.

(2) Every such advance shall be refunded to the revenue account as soon as may be practicable.

117. Advance from capital account to revenue account.—(1) Any deficit in the revenue account at the end of any year may be made good by an advance from the capital account after obtaining the approval of the Government.

(2) Every such advance shall be refunded to the capital account in the following year.

118. Submission of abstracts of accounts to Government.—At the end of every year, the Board shall submit to the Government an abstract of the accounts of its receipts and expenditure for such year.

119. Annual audit of accounts.—The accounts of the Board shall be examined and admitted once in every year by such auditor as the Government may appoint in this behalf.

120. Powers of auditor.—The said auditor may—

(a) by summons in writing require production of any document, the perusal or examination of which he believes necessary for the elucidation of the accounts;

(b) by summons in writing require any person who has the custody or control of any such document or who is accountable therefor to appear in person before him; and

(c) require any person so appearing to make and sign a declaration with respect to such document or to answer any question or to prepare and furnish any statement relating thereto.

121. Remuneration of auditor.—The Board shall pay to the said auditor such remuneration as the Government may direct.

122. Reports and information to be furnished by auditor to the Board.—(1) The said auditor shall—

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(a) report to the Board and to the Government any material impropriety or irregularity which he may observe in the expenditure, or in the recovery of moneys due to the Board, or in the accounts;

(b) furnish to the Board such information as it may, from time to time, require concerning the progress of his audit;

(c) report to the Chairman any loss or waste or money or other property owned by or vested in the Board caused by neglect or misconduct, with the names of persons directly or indirectly responsible for such loss or waste: and

(d) submit to the Chairman a final statement of audited accounts, together with a report on the result of the audit, and duplicate copies thereof to the Government, within a period of three months from the end of the year or within such other period as the Government may allow in that behalf.

(2) (a) The said auditor may disallow every item contrary to law and surcharge the same on the person making or authorizing the making of the illegal payment; and may charge against any responsible therefor the amount of any deficiency or loss incurred by the negligence or misconduct of that person or of any sum which ought to have been but is not, brought into account by that person and shall, in every such case, certify, the amount due from such person.

Explanation.—It shall not be open to any person whose negligence or misconduct has caused or contributed to any such deficiency or loss to contend that notwithstanding his negligence or misconduct the deficiency or loss would not have occurred but for the negligence or misconduct of some other person.

(b) The said auditor shall state in writing the reasons for his decision in respect of every disallowance, surcharge or charge and furnish a copy thereof by registered post to the person against whom it is made.

(c) If the person to whom a copy of the decision is so furnished refuses to receive it, he shall nevertheless be deemed to have been duly furnished with a copy, within the meaning of clause (b); and the period of fourteen days fixed in sub-sections (3) and (4) shall be calculated from the date of such refusal.

(3) Any person aggrieved by a disallowance, surcharge or charge made under sub-section (2) may, within fourteen days after he has been furnished with a copy of the decision of the auditor either (a) apply, in the Presidency town, to the Madras City Civil Court and elsewhere, to the Court of the Subordinate Judge to set aside such disallowance, surcharge or charge, in which case the Court may, after taking such evidence as it thinks necessary, confirm, modify, or remit such disallowance, surcharge or charge, with such orders as to costs as it may think proper in the circumstances: or (b) in lieu of such application, appeal to the Government who shall pass such orders as they think fit.

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(4) Every sum certified to be due from any person by the auditor under this Act shall be paid by such person to the Board within fourteen days after he has been furnished with a copy of the decision of the auditor unless within that time such person has applied to the Court or appealed to the Government against the decision under sub-section (3); and such sum if not paid, or such sum as the Court or the Government shall declare to be due, shall be recoverable on an application made by the Board to the Court in the same way as an amount decreed by it.

(5) Notwithstanding anything contained in this sections the Government may at any time direct that the recovery of the whole or any part of the amount certified to be due from any person by the auditor under this Act shall be waived if in their opinion, such a course is necessary, considering all the circumstances of the case.

123. Auditor's report to be sent to each member and considered by Board.—The Chairman shall cause the report mentioned in clause (d) of sub-section (1) of section 122 to be printed and shall forward a printed copy thereof to each member and shall bring such report before the Board for consideration at its next meeting.

124. Board to remedy defects pointed out by auditor and to submit a report to Government.—It shall be the duty of the Board to remedy forthwith any defects or irregularities that may be pointed out by the auditor and to submit a report thereon to the Government.

125. Accounts and audit report to be forwarded to Government and their placing before the State Legislature.—(1) The accounts of the Board as certified by the auditor together with the audit report thereon shall be forwarded annually to the Government and the Government may issue such instructions to the Board in respect thereof as they deem fit and the Board shall comply with such instructions.

(2) The Government shall—

(a) cause the accounts of the Board together with the audit report thereon forwarded to them under sub-section (1) to be laid annually before the State Legislature; and

(b) cause the accounts of the Board to be published in the prescribed manner and make available copies thereof on sale at a reasonable price.

CHAPTER XIII.

PENALTIES AND PROCEDURE.

123. Penalty removing fence, etc., in street.—If any person, without lawful authority infringes any order given, or removes any bar, chain or post fixed under sub-section (2) of section 82, he shall be punishable with fine which may extend to fifty rupees.

127. Penalty for building within street alignment or building line without permission.—If any person, without the permission of the Board, erects, re-erects, adds to or alters any wall

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or building so as to make the same project into the street alignment or beyond the building line prescribed by any deferred street scheme, development scheme or town expansion scheme, he shall be punishable—

(a) with fine which may extend, in the case of a wall or masonry building, to five hundred rupees and in any other case, to fifty rupees; and

(b) with further fine which may extend, in the case of a wall or masonry building, to one hundred rupees and in any other case, to ten rupees for each day after the first during which the projection continues.

128. *Penalty for failure to comply with requisition made by auditor.*—If any person fails to comply with any requisition made by the auditor under section 120, he shall be punishable—

(a) with fine which may extend to one hundred rupees; and

(b) in case of a continuing failure, with fine which may extend to fifty rupees for each day after the first during which the failure continues.

129. *Penalty for obstructing contractor or removing mark.*—If any person—

(a) obstructs or molests any person with whom the Chairman has entered into a contract on behalf of the Board, in the performance or execution by such person of his duty or of anything which he is empowered or required to do by virtue or in consequence of this Act or any rule or regulation made thereunder; or

(b) removes any mark set up for the purpose of indicating any level or direction necessary to the execution of works authorized by this Act or any rule or regulation made or scheme sanctioned thereunder, he shall be punishable with fine which may extend to two hundred rupees.

130. *Penalty for breach of the provisions of the Act, etc.*—Whoever contravenes any of the provisions of this Act or of any rule or regulation made or scheme sanctioned thereunder shall, if no other penalty is provided for such contravention, be punishable—

(a) with fine which may extend to one hundred rupees; and

(b) in case of a continuing contravention, with fine which may extend to fifty rupees for each day after the first during which the contravention continues.

131. *Compensation to be paid by offenders for damage caused by them*—(1) When any person is convicted of any offence under this Act or any rule or regulation made thereunder, the Magistrate convicting such person may, on application made in this behalf by the Board or by its officer or servant authorized by it in this

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behalf, call upon such person forthwith to show cause as to why he should not pay compensation to the Board for the damage caused by his act or omission in respect of which he is convicted.

(2) The Magistrate shall record and consider any cause which such person may show and if the Magistrate, after making such inquiry as he may think fit, is satisfied that such person is liable to pay compensation, may direct that compensation to such amount not exceeding one thousand rupees as he may determine, be paid by such person to the Board.

(3) The amount of compensation directed to be paid under sub-section (2), shall, if it be not paid forthwith, be recovered as if it were a fine imposed by the magistrate on such person.

132. *Punishment for acquiring share or interest in contract, etc., with the Board.*—If any member, or any officer or servant of the Board acquires, directly or indirectly, by himself or by any partner, employer or employee, otherwise than as such member, officer or servant, any share or interest in any contract or employment with, by or on behalf of, the Board (not being a share or interest which, under section 7, it is permissible for a member to have without being thereby disqualified for being appointed a member) he shall be deemed to have committed the offence made punishable by section 168 of the Indian Penal Code (Central Act XLV of 1860).

133. *Procedure.*—(1) No court shall take cognizance of any offence punishable under this Act or any rule or regulation made thereunder unless complaint of such offence is made within six months next after the commission thereof.

(2) No court inferior to that of a Presidency Magistrate or a Magistrate of the First-class shall try any offence punishable under this Act.

134. *Duty of Police officers.*—It shall be the duty of every Police officer—

(a) to co-operative with the Chairman for carrying into effect and enforcing the provisions of this Act or any rule made thereunder;

(b) to communicate without delay to the proper officer or servants of the Board any information which he receives of a design to commit or of the commission of any offence against this Act or any rule made thereunder; and

(c) to assist the Chairman or any officer or servant of the Board reasonably demanding his aid for the lawful exercise of any power vesting in the Chairman or in such officer or servant under this Act or any rule made thereunder.

135. *Arrest of offenders.*—(1) Any police officer not below the rank of a head constable, may arrest any person who commits, in his presence, any offence against this Act or any rule or

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regulation made thereunder, if the name or address of such person be unknown to him, and if such person on demand declines to give his name or address, or gives a name or address which such officer has reason to believe to be false.

(2) No person so arrested shall be detained in custody after his true name and address are ascertained or for any longer time than is necessary for bringing him before a Magistrate. In no case shall such detention exceed twenty-four hours from the time of arrest without the orders of a Magistrate.

136. *Powers of Chairman as to institution, composition, etc., of legal proceedings and obtaining legal advice.*—The Chairman may, subject to the control of the Board—

(a) institute, defend or withdraw from legal proceedings under this Act or any rules or regulations made thereunder;

(b) compound any offence against this Act or any rules or regulations made thereunder which, under any law for the time being in force or the rules prescribed by the Government, may lawfully be compounded;

(c) admit, compromise or withdraw any claim made under this Act or any rules or regulations made thereunder; and

(d) obtain such legal advice and assistance as he may, from time to time, think it necessary or expedient to obtain, or as may be desired by the Board to obtain, for any of the purposes, referred to in the foregoing clauses of this section, or for securing the lawful exercise or discharge of any power or duty vested in or imposed upon the Board or any officer or servant of the Board.

137. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the Government, the Board or any Committee thereof or any officer or servant of the Government or the Board for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or regulation made thereunder.

138. *Notice of suit against Board, etc.*—No suit shall be instituted against the Board, or any member, or any officer or servant of the Board, or any person acting under the direction of the Board, or of the Chairman or of any officer or servant of the Board, in respect of any act done or intended to be done under this Act or any rule or regulation made thereunder until the expiration of one month next after written notice has been delivered or left at the Board's office or the place of abode of such officer, servant or person, stating the cause of action, the name and place of abode of the intending plaintiff, and the relief which he claims, and the plaint must contain a statement that such notice has been so delivered or left.

139. *Proof of consent etc, of Board or Chairman or officer or servant of the Board.*—Whenever, under this Act or any rule or regulation made thereunder, the doing or the omission to do

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anything or the validity of anything depends upon the approval, sanction, consent, concurrence, declaration, opinion, or satisfaction of—

(a) the Board or the Chairman; or

(b) any officer or servant of the Board, a written document, signed in case (a) by the Chairman, and in case (b) by the said officer or servant, conveying or setting forth such approval, sanction, consent, concurrence, declaration, opinion or satisfaction, shall be sufficient evidence of such approval, sanction, consent, concurrence declaration, opinion or satisfaction.

140. Power of Chairman to direct removal of unauthorized erections, etc., within street alignment, etc.—(1) The Chairman may, by a written notice, require the owner for the time being of the wall or building referred to in section 127 to stop further work on such wall or building and to alter or demolish the same in such manner and within such time as may be specified in the notice.

(2) Where the alteration or demolition directed by any such notice is not carried out as directed therein, the Chairman may cause the wall or building or portion thereof to be altered or demolished, as the case may be, and he may recover the expenses incurred in so doing from the owner for the time being in such manner as may be prescribed.

141. General power of the Board to pay compensation.—In any case not otherwise expressly provided for this Act, the Board pay reasonable compensation to any person who sustains damage by reason of the excise of any of the powers vested by or under this Act in the Board or the Chairman or any officer or servant of the Board.

142. Public notices how to be made known.—Every public notice given under this Act or any rule or regulation made thereunder shall be in writing over the signature of the Chairman, and shall be widely made known in the locality to be affected thereby, by affixing copies thereof in conspicuous public places within the said locality, or by publishing the same by bear of drum or by advertisement in leading daily newspapers, or by any two or more of these means, and by any other means that the Chairman may think fit. Every such notice shall also be published by affixture in the notice board of the Board's office or sub-office.

143. Newspapers in which advertisements or notices are to be published.—Whenever it is provided by this Act or any rule or regulation made thereunder that notice shall be given by advertisement in leading daily newspapers, or that a notification or any information shall be published in leading daily newspapers, such notice, notification or information shall be inserted, if practicable in at least one English daily newspaper and two daily newspapers published in Tamil.

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144. Standing signature on notices or bills.—Every notice or bill, which is required by this Act or by any rule or regulation made thereunder to bear the signature of the Chairman or any other member or of any officer or servant of the Board, shall be deemed to be properly signed if it bears a facsimile of the signature of the Chairman or of such other member or of such officer or servant, as the case may be, stamped thereupon.

145. Service how to be effected.—When any notice, bill or other document is required by this Act or any rule or regulation made thereunder to be served upon or issued or presented to any person, such service, issue or presentation shall be effected—

(a) by giving or entering such document to such person; or

(b) if such person is not found, by leaving such document at his last known place of abode, or by giving or tendering the same to some adult member or servant of his family; or

(c) if his address elsewhere is known, by forwarding such document to him by registered post under cover bearing the said address; or

(d) if none of the means aforesaid be available, by causing a copy of such document to be affixed on some conspicuous part of the building or land, if any, to which the document relates.

146. Power to make surveys, or contribute towards their costs.—The Board may—

(a) cause of survey of any land to be made, whenever it considers that a survey is necessary or expedient for carrying out any of the purpose of this Act, or

(b) contribute towards the cost of any such survey made by any other local authority.

147. Power of entry.—(1) The Chairman or any person either generally or specially authorized by the Chairman in this behalf may, with or without assistants or workmen, enter into or upon any land, in order—

(a) to make any inspection, survey, measurement, valuation or inquiry;

(b) to take levels;

(c) to dig or bore into the sub-soil;

(d) to set out boundaries and intended lines of work;

(e) to mark such levels, boundaries and lines by placing marks, and cutting trenches; or

(f) to do any other thing, whenever it is necessary to do so for any of the purposes of this Act or any rule or regulation made or scheme sanctioned thereunder or any scheme which the Board intends to frame thereunder:

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Provided as follows :—

(a) no such entry shall be made between sunset and sunrise;

(b) no dwelling house, and no public building or but which is used as a dwelling place, shall be entered, except with the consent of the occupier thereof, without giving the said occupier at least twenty-four hours previous written notice of the intention to make such entry;

(c) sufficient notice shall, in every instance, be given, even when any premises may otherwise be entered without notice, to enable the inmates of any apartment appropriated to women to remove themselves to some part of the premises where their privacy will not be disturbed;

(d) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the premises entered.

(2) Whenever the Chairman or a person authorized under sub-section (1) enters into or upon any land in pursuance of that sub-section, he shall, at the time of such entry, pay or tender payment for all necessary damage to be done as aforesaid; and, in case of dispute as to the sufficiency of the amount so paid or tendered, he shall at once refer the dispute to the Board, whose decision shall be final.

CHAPTER XIV.

MISCELLANEOUS.

148. Powers of the Board for facilitating movement of the population.—With a view to facilitating the movement of the population in and around any city, town or village, the Board may from time to time—

(1) subject to any condition it may think fit to impose—

(a) guarantee the payment, from the funds at its disposal of such sums as it may think fit, by way of interest on capital expenditure on the construction, maintenance or working of means of locomotion; or

(b) make such payments as it may think fit from the said funds, by way of subsidy to persons undertaking to provide, maintain and work means of locomotion; or

(2) either singly or in combination with any other person, construct, maintain and work any means of locomotion, under the provisions of any law applicable thereto; or

(3) construct or widen, strengthen or otherwise improve bridges :

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Provided that no guarantee or subsidy shall be made under clause (1), and no means of locomotion shall be constructed, maintained or worked under clause (2), without the sanction of the Government.

149. *Members, officers and servants of the Board, committees and Tribunal deemed to be public servants.*—All members, officers and servants of the Board, the members of committees, the Tribunal and all other persons entrusted with the execution of any functions under this Act, shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

150. *Contributions by Board towards leave allowances and pensions of servants of the Central or State Government, employed under this Act.*—The Board shall be liable to pay such contributions for the leave salary, pension . . . or provident fund of any officer or servant of the Central or State Government employed as Chairman or as an officer or servant of the Board, or as the Tribunal or as an officer or servant of the Tribunal, as the case may be, as may be required by the conditions of his service under the Central or State Government to be paid by him or on his behalf.

151. *Board and Chairman to exercise powers and functions under Madras Act VII of 1920.*—In any area in respect of which a housing or improvement scheme is in force, the Government may, by notification, declare that, from such date as may be specified therein, the powers and functions exercisable by a local authority or its executive authority under the Madras Town-Planning Act, 1920 (Madras Act VII of 1920), shall not be exercised by it and that subject to such restrictions and modifications, if any, as may be specified in the notification, such powers and functions shall be exercised by the Board or the Chairman, as the case may be.

152. *Board and Chairman to exercise powers and functions of a local authority and executive authority.*—In any area in respect of which a housing or improvement scheme is in force, the Government may, by notification, declare that for the period during which such scheme remains in force and subject to such restrictions and modifications, if any, as may be specified in the notification, the powers and functions exercisable by a local authority or its executive authority under the enactment constituting such local authority shall be exercised by the Board or the Chairman, as the case may be.

153. *Supply of documents and information to the Government.*—The Chairman shall, if so directed by the Government, forward to them a copy of all the papers which were laid before the Board for consideration at any meeting and furnish any

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return, statement, estimate, statistics, or other information regarding any matter under the control of the Board, a report of any such matter and a copy of any documents in charge of the Chairman.

154. Submission of administration report to Government.—

(1) As soon as may be after the first day of April in every year and not later than such date as may be fixed by the Government, the Board shall submit to the Government a detailed report of the administration during the preceding year in such form as the Government may direct.

(2) The Chairman shall prepare such report and the Board shall consider the report and forward the same to the Government with its resolutions thereon, if any

155. Power of Government to give directions to the Board.—

The Government may give the Board such directions as in their opinion are necessary or expedient for carrying out the purposes of this Act, after giving an opportunity to the Board to state its objections, if any, to such directions and after considering the said objections; and it shall thereupon be the duty of the Board to comply with such directions.

156. Supersession of the Board.—(1) If the Government are of opinion that the Board is unable to perform, or has persistently made default in the performance of, the duty imposed on it by or under this Act or has exceeded or abused its powers, they may, by notification, supersede the Board for such period as may be specified in the notification :

Provided that before issuing a notification under this subsection, the Government shall give a reasonable time to the Board to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the Board.

(2) Upon the publication of a notification under sub-section (1) superseding the Board,—

(a) the Chairman and all the members of the Board shall, as from the date of supersession, vacate their offices as such;

(b) all the powers and duties which may, by or under the provisions of this Act, be exercised or performed by or on behalf of the Board and the Chairman, shall, during the period of supersession, be exercised and performed by such authority or person as the Government may direct;

(c) all funds and other property vested in the Board shall, during the period of supersession vest in the authority or person referred to in clause (b); and

(d) all liabilities, legally subsisting and enforceable against the Board shall be enforceable against the authority or person referred to in clause (b) to the extent the funds and properties vested in it or him.

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(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Government may,—

(a) extend the period of supersession for such further period as they may consider necessary; or

(b) reconstitute the Board in the manner provided in section 4.

157. Dissolution of the Board.—(1) If the Government are of opinion that the Board has failed to carry out its functions under this Act or that for any other reason it is not necessary to continue the Board, they may, by notification, dissolve the Board from such date as may be specified in the notification.

(2) Upon the publication of a notification under sub-section (1) dissolving the Board—

(a) the Chairman and all the members of the Board shall, as from the date of dissolution, vacate their offices as such;

(b) all the powers and duties which may, by or under the provisions of this Act, be exercised and performed by or on behalf of the Board and the Chairman shall, as from the date of dissolution, be exercised and performed by the Government or such authority or person as they may appoint in this behalf;

(c) all funds and other property vested in the Board shall vest in the Government; and

(d) all liabilities, legally subsisting and enforceable against the Board shall be enforceable against the Government to the extent of the funds and properties vested in them.

(3) Nothing in this section shall affect the liability of the Government in respect of debentures guaranteed under section 92.

158. The Board to be a local authority under Central Act I of 1894 and Central Act IX of 1914.—The Board shall be deemed to be a local authority for the purposes of the Land Acquisition Act, 1894 (Central Act I of 1894) and the Local Authorities Loans Act, 1914 (Central Act IX of 1914).

159. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, by order, do anything which appears to them necessary or proper for the purpose of removing the difficulty.

(2) Every order issued under sub-section (1) shall, as soon as possible after it is issued, be placed on the table of both Houses of the Legislature, and, if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such order or both Houses agree that the order should not be issued, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

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CHAPTER VX.

RULES AND REGULATIONS.

160. Power to make rules.—(1) The Government may, ... make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for

(a) all matters expressly required or allowed by this Act to be prescribed;

(b) the accounts to be maintained by the Board;

(c) the allowances of non-official members of the Board or of any Committee;

(d) the returns, statements, reports and accounts to be submitted to the Government by the Board;

(e) the mutual relationship of the Board and other local authorities in any matter in which they are jointly interested;

(f) the fees payable for copies of, or extracts from the assessment books of the local authorities concerned furnished to the Chairman;

(g) the guidance of the Board and public officers in carrying out the purposes of this Act.

(3) All rules made under this Act shall be published in the *Fort St. George Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule made under this Act shall, as soon as possible after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

161. Power to make regulations.—(1) The Board may, by notification, make regulations not inconsistent with this Act and the rules made thereunder, ... for the purpose of giving effect to the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for—

(a) all matters expressly required or allowed by this Act to be prescribed by regulations;

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(b) the association of persons with the Board under section 24;

(c) the appointment of persons to be members of committees under section 25;

(d) the delegation of powers or duties of the Board to committees or to the Chairman;

(e) the duties and conduct of officers and servants of the Board and of other persons employed by the Board under this Act for carrying out any of the purposes of this Act;

(f) the welfare and recreation of the staff of the Board and the contributions to be made therefor;

(g) the fees payable for the copies of documents, estimates and plans furnished by any of its officers and servants under this Act;

(h) the management, use and regulation of dwellings constructed under any housing or improvement scheme;

(i) the efficient conduct of the affairs of the Board.

(3) No regulation or its cancellation or modification shall have effect until the same shall have been approved and confirmed by the Government.

CHAPTER XVI.

REPEAL AND SAVING.

162. *Repeal and saving.*—(1) The Madras City Improvement Trust Act, 1950 (Madras Act XXXVII of 1950) (hereinafter referred to as the said Act) is hereby repealed.

(2) Notwithstanding such repeal—

(a) anything done or any action taken including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation or scheme framed, certificate, permit or licence granted or registration effected, under the said Act, shall be deemed to have been done or taken under the corresponding provision of this Act and shall continue in force accordingly, unless and until superseded by anything done or any action taken under this Act; and

(b) the betterment fee in respect of any land which the City Improvement Trust was, immediately before the commencement of this Act, entitled to levy, assess and recover under the said Act, may be levied, assessed and recovered by the Board under the said Act as if this Act had not been passed.

